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COLLABORATIVE POLICY MAKING: VERTICAL INTEGRATION IN THE HOMELAND SECURITY ENTERPRISE

by

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December 2011

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**COLLABORATIVE POLICY MAKING: VERTICAL INTEGRATION IN THE
HOMELAND SECURITY ENTERPRISE**

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ABSTRACT

President Obama, the Secretary of the Department of Homeland Security and other senior federal officials have emphasized that, in order to make our country safe and resilient, all levels of government, non-governmental organizations and the private sector must all work together. This commitment to the shared responsibility requires the White House National Security Staff to make a commitment to engage meaningfully with stakeholders in the mission, through increased transparency and direct consultation. Continued engagement will not only build trust and support from those entities, but it will greatly improve the homeland security enterprise. This research set out to identify a model for the White House National Security Staff to consider using that would provide the most effective and efficient manner for the National Security Staff to engage local, state, tribal, non-governmental and private sector partners to achieve an integrated homeland security policy.

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LIST OF ACRONYMS AND ABBREVIATIONS

APHS/CT	Assistant to the President for Homeland Security and Counterterrorism
BUR	Bottom-up Review
COI	Community of Interest
DHS	Department of Homeland Security
DoD	Department of Defense
DOJ	Department of Justice (U.S.)
DOS	Department of State (U.S.)
DRG	Domestic Resilience Group
EO	Executive Orders
FACA	Federal Advisory Committee Act
FEMA	Federal Emergency Management Agency
GAO	Government Accountability Office
HSA	Homeland Security Act
HSC	Homeland Security Council
HSAC	Homeland Security Advisory Council
HSIN	Homeland Security Information Network
HSPD	Homeland Security Presidential Directive
HUWG	HSIN Users Working Group
IAEM	International Association Emergency Managers
IPC	Interagency Policy Committee
JAD	Joint Application Design
NAC	National Advisory Council
NAPA	National Academy of Public Administration
NRF	National Response Framework
NGO	Non-Governmental Organization
NSS	National Security Staff
NSC	National Security Council
NSPD	National Security Presidential Directives

PC	Principals Committee
PNSR	Project for National Security Reform
PPD	Presidential Policy Directive
QHSR	Quadrennial Homeland Security Review

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I.   INTRODUCTION

A.   PROBLEM STATEMENT—BACKGROUND

The Preamble of the Constitution sets the expectation that our government will, among other things, "insure domestic tranquility, provide for the common defense, and promote the general welfare."   For most of our history, that goal expressed in our Constitution was satisfied by a national security system structured to meet threats deemed to arise from traditional state adversaries external to U.S. borders. Prior to the 1940s, the President of the United States was the primary coordinator of national security policy. In 1947, the National Security Council was created as part of a larger reorganization of the United States national security structure established by the National Security Act of 1947. The national security system remained relatively unchanged until the terrorist attacks on September 11, 2001.

The term "homeland security" became widely accepted on September 20, 2001, when President Bush used the term to name a new "Office of Homeland Security" established in the White House in October 2001. Homeland security has generally come to mean the unified national effort to prevent, protect against, respond to and recover from threats and acts of terrorism, as well as other man-made and natural hazards. To quote from the 2007 National Strategy for Homeland Security:

> Homeland Security is a concerted national effort to prevent terrorist attacks within the United States, reduce America's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur…..This Strategy...recognizes that effective preparation for catastrophic natural disasters and man-made disasters, while not homeland security per se, can nevertheless increase the security of the Homeland. (U.S. Executive Office of the President, October 2007, p. 3)

Homeland security is thus at least a subset of, or co-equal with, national security. Therefore, effectively structuring the homeland security system is key to the ability to maintain the American constitutional form of government. If the ability to maintain continuity of government and operations fails, then that failure would put at risk continuance of civil society in America. Presently, when developing homeland security

policy and strategies, including follow-on implementation plans, procedures, systems, and requirements, the White House National Security Staff and federal interagency homeland security leaders do not adequately incorporate state, local, tribal, and private sector homeland security and emergency management personnel into the policy development process.

As the homeland security discipline has developed and evolved, issues have become increasingly complex—wider in scope, more varied, and with interconnectedness (Locher III, 2010). Congressional and United States Government Accountability Office (GAO) reports have pointed out that, because there is a range of federal and nonfederal stakeholders with important responsibilities for homeland security, it is important that the Federal Emergency Management Administration (FEMA), Department of Homeland Security (DHS), and the White House include these stakeholders in its development and revisions of national policies and guidelines (Government Accountability Office [GAO], 2008;Senate Governmental Affairs Committee Full Minority Staff, 2003;Stockton, 2009).

President Obama's National Security Strategy calls for, among other things, "strengthening national capacity through a whole-of-government approach" (Obama, 2010). State and local governments, including the police, firefighters, emergency medical technicians, emergency management services, public health workers, and other emergency management and homeland security professionals they employ, are critical to homeland security, making vertical coordination of homeland security strategies, policies, protocols, and procedures more important as a consequence. Involving state and local government representatives in the federal policy development processes will bring state and local perspectives to bear on building an integrated homeland security system and would give them a say over the plans and programs they would need to implement (Homeland Security Advisory Council, 2008).

The president has little authority to impose vertical integration when the Federal Executive Branch develops policy because of the constitutional form of government in the United States. Governors do not work for the president and mayors do not work for governors; they are independently elected and are the sovereign chief executives of their states and cities. The Bush administration attempted to deal with this issue when it

created the Homeland Security Council (HSC). In late September 2001, then-White House Chief of Staff Andrew Card promised that state and local governments would be represented on the HSC (Stockton, 2009). Including state and local representatives on the HSC would not only offer a way to compensate for the president's lack of command authority over them, but it was also expected to increase the likelihood that they would support the policies they helped frame.

The Bush administration established the Homeland Security Advisory Council in 2002 to make recommendations to the HSC and included state and local officials on that panel; but it is advisory only, and the President selected the members rather than having the governors or mayors do so. Because the HSC was not robustly staffed, it relied on the major departments to help it develop pre-decisional documents such as national strategies and policies. In many cases, the HSC relied on the Department of Homeland Security (DHS) to integrate state and local efforts with federal homeland security policymaking, even as the spread of homeland security functions across the federal bureaucracy made integration increasingly difficult for any one department to coordinate. As a result, state and local governments provided input to a limited number of initiatives and therefore the administration issued federal policies and programs that conflicted with state and local programs.

Two well-documented examples of the failure to integrate entities with diverse interests properly are the Homeland Security Information Network (HSIN) and the National Response Framework (NRF). The HSIN network is the key system used by DHS for sharing homeland security data with states and localities and is operated by state and local officials nationwide. Yet DHS did not coordinate with those officials to develop functional and useful joint policies and procedures, integrate HSIN with existing information sharing systems, and ensure that the network would meet state and local requirements (Stockton, 2009). The NRF is the plan for integrating federal, state, and local agencies response to a disaster. The Bush administration did not coordinate its development of the 2007 NRF with states and localities, and the current administration, as of the summer of 2011, had yet to put policies or procedures in place that provide for such coordination as a revised framework is developed (Roberts, 2008).

In summary, the above issues point to a need for an innovative, integrated national policy and strategy development process that would enable the country to better address the complex homeland security environment.

B.   RESEARCH QUESTION(S)

In order to address the lack of integrated national policy and strategy development process, this thesis will address the following research questions:

1.   What are the National Security Staff and DHS coordination processes for seeking state and local government emergency management/homeland security professionals input on significant strategies and policies? What are the benefits and challenges of the current processes?

2.   What are the criteria to evaluate an effective policy development model?

3.   Do policy coordination models exist that may be applicable to the homeland security strategy or policy formulation processes?

C.   HYPOTHESES

There is a need for the development of an innovative, integrated national policy and strategy development process that would enable the country to better address the complex homeland security environment. When developing homeland security policy and strategies, including follow-on implementation plans, procedures, systems, and requirements, the White House National Security Staff and federal interagency homeland security leaders must incorporate state, local, tribal, and private sector homeland security and emergency management personnel into the policy development process.

The objective of this research is to provide a model for the White House National Security Staff to consider using to achieve integrated homeland security policy development. The thesis will identify a model or critical elements for a successful model by evaluating and comparing current and possible methods and models used and determine if a model can be recommended.

The model that is selected will need to ensure the broadest amount of input and representation. There are over 87,000 jurisdictions in the United States, which correlates to millions of homeland security professionals in the form of law enforcement, fire, and

emergency medical officials, public health service employees, emergency medical technicians, and other homeland security professionals. Each of these professions have organized professional associations, such as the:

- National Homeland Security Consortium,
- International Association of Police Chiefs,
- International Association of Emergency Managers,
- National Emergency Management Association,
- National Association for Search and Rescue,
- State emergency management associations (contained in multiple states).

In addition, many states have established homeland security advisors to the governor and state homeland security agencies; this has led to the formation of the Council of Governors Homeland Security Advisors. All these individuals and organizations have a voice and an opinion that can help shape the homeland security enterprise and, therefore, should have the opportunity to contribute to the national homeland security policymaking process.

Many of the professional organizations do provide input to federal departments and agencies on homeland security, law enforcement, emergency management issues currently; however, there is no systematic way or one specific in-point to the White House National Security Staff (NSS). For example, the Deputy Administrator of FEMA attended the entire week of the annual International Association of Emergency Managers 2011 conference in order to provide information to the group and gather the International Association Emergency Managers (IAEM) members' perspectives on homeland security and emergency management issues. In a discussion with the Deputy Administrator, Rich Serino said that he values the "on-the-ground" professionals' perspectives and those perspectives influence how policy and programs at FEMA are developed (personal conversation, 2010). In addition, in discussing state and local input with the Special Assistant to the President and Senior Director for Resilience, Richard Reed stated that, in performing his role on the NSS, he talks to various members of the state, local, and tribal communities, emphasizing his periodic meetings with state homeland security advisors to

gain their perspectives on homeland security issues. However, he agreed that his office and the National Security Staff as a whole do not have a systemic way of gathering input (personal conversation, 2010).

The model selected should meet the intent and requirement of the Homeland Security Act (HSA) of 2002, U.S. Government Accountability Office recommendations, and other "think tank" organizations' recommendations that the federal government work with state, local, and tribal governments and private sector and non-governmental organization. The HAS of 2002, which established DHS, also codified the requirement for DHS to reach out to state, local, and tribal governments and the private sector in order for DHS to:

- ensure adequate and integrated planning, training, and exercises occur and that first responders have the necessary equipment;

- attain interoperability of the federal government's homeland security communications systems with state and local governments' systems;

- oversee federal grant programs for state and local homeland security efforts; and coordinate warnings and information to state and local government entities and the public.

In addition, numerous United States Government Accountability Office and "think tank" reports emphasize the need for the federal government to enhance partnerships with state and local governments to guard against terrorist attacks and improve national preparedness.

The model that is adopted should ensure clarity of roles and responsibilities between federal, state, and local organizations. The emphasis needs to be on a *national* rather than a purely federal strategy. Therefore, the state, local, and tribal governments, non-governmental, and private-sector stakeholders need to be involved in a collaborative effort to arrive at national goals. The federal role needs to be considered in relation to several factors: other levels of government, the goals and objectives for preparedness, and the most appropriate tools to assist and enable other levels of government and the private sector to achieve these goals.

There may not be a single, perfect model that can address all of the issues and requirements noted above. However, the goal of the thesis is to move the thinking and

organizational processes in a direction that will better inform the current policy making apparatus, hopefully resulting in sounder and more representative homeland security strategies and polices.

D.   SIGNIFICANCE OF RESEARCH

The significance of the research is that it provides an overview of current models used to develop national security and homeland security policies, strategies, and follow-on implementation plans, including how the models incorporate state and local input into national policy and strategies. It will also provide an evaluation of different models and ultimately a recommended model or parts of various models for use by the White House National Security Staff. Since the National Security Strategy was issued in 2007, there has been an interest from the federal side to include state and local input into homeland security policy and plans. Some ideas have been presented as to how to best accomplish this task; however, the literature has not put forward a specific model. In addition, the literature is devoid of a comparison between alternative policy options and the current homeland security policy development model.

Prior to 9-11, local, state, tribal, and federal entities were not required to work together in such an integrated manner. As more threats are identified, and national strategies are developed to mitigate them, states and locals will be part of the implementation of those strategies. Therefore, they need to be part of their development. This research is timely as the homeland security enterprise matures.

The primary consumers of this research will be White House National Security Staff and federal interagency senior officials who develop significant homeland security policy and strategy.   Other consumers include major homeland security professional associations, such as:

- National Emergency Management Association (NEMA),
- International Association Emergency Managers (IAEM),
- National Association of Chiefs of Police, International Association of Firefighters,

- International Association for Counterterrorism and
- Security, the National Governor's Association, and others.

II. METHODOLOGY AND LITERATURE REVIEW

A. METHODOLOGY

1. Process

In order to write this thesis, a policy option analysis methodology was used. The study focused on evaluating White House National Security Staff and federal executive branch homeland security policy development models to determine the extent the models provide for input from local, state, and tribal governments, non-governmental organizations, and private sector stakeholders. The models were further evaluated against criteria in order to select the best model. The research focused specifically on identifying a model that the President's National Security Staff could apply when developing national homeland security policy such as Executive Orders (EO), Presidential Policy Directive (PPD), or Homeland Security or National Security Presidential Directives (HSPD/NSPD) that would integrate input from state, local, tribal governments and other stakeholders in order to develop a more robust and effective policy. While EOs, PPDs, and HSPD/NSPDs provide federal direction, this federal policy is often incorporated within federal programs that affect the states. For example, federal policy will be translated into grant requirements that affect how states must conduct homeland security activities in order to receive federal grant money.

Specifically, the research set out to answer the following questions:

- What are the current processes for seeking state and local government emergency management/homeland security professionals input on homeland security policy developed at the federal level by the White House National Security Staff?

- What are the benefits of the processes?

- What are the challenges or negatives of the processes?

- Should the current process be improved?

- If so, how might it be improved?

From March 2011 to October 2011, the author engaged in a wide range of research and analyses. The author started by reviewing current literature and research available on the topic. The results of the literature review follow in the next section. In general, the author reviewed:

1. government reports such as reports and testimonies by the General Accountability Office (GAO), testimonies by government officials, inspector general reports,

2. journal articles, and

3. other sources such as scholar white papers and "think tank" reports. Reviews of Congressional legislation, Office of Management and Budget Circulars, and other government regulations were also conducted.

Through the reviews, the case was built defining the study issue. In short, it was determined that homeland security is not strictly a federal responsibility but rather a responsibility of the whole of government and community. Therefore, as the President's Homeland Security Council and its supporting National Security Staff develop and issues homeland security policy, all stakeholders' views need to be incorporated into the policy. Policy development should be both horizontally and vertically integrated.

Next, the author identified three models to evaluate against defined criteria. The models were selected based on the extent the model depicted a process by which federal agencies interacted with state, local, and tribal government homeland security professionals as well as the private sector and non-governmental organizations involved in the homeland security enterprise. They were also selected based on the author's ability to gather sufficient research material to thoroughly analyze and evaluate the model's applicability to the National Security Staff. In conducting the research, many homeland security professionals offered ideas on how to design a better model however those designs did not contain enough detail to evaluate against the selected criteria thoroughly. However, elements of these suggested models could be considered in the adoption or development of a model and could be explored in future research.

The first model researched was the current homeland security policy development process used by the President's National Security Staff responsible for homeland security issues with an emphasis on the Resilience Directorate's process. This model was

evaluated in order to establish the baseline model that the research aimed to improve or replace. In order to evaluate the model, the author relied on the review of the literature and personal experience with the process.

The second model researched was the process that the Department of Homeland Security (DHS) used to develop its *Quadrennial Homeland Security Report (QHSR): A Strategic Framework for a Secure Homeland* (2010). The *Implementing Recommendations of the 9/11 Commission Act of 2007* required DHS to submit a QHSR. This homeland security review addressed both the threats presented and the framework for DHS's strategic response, and it reported to be the most comprehensive assessment and analysis of homeland security to date (DHS, 2010). In preparing the QHSR, DHS engaged thousands of state, local, tribal, and private sector stakeholders in the process.

The third model reviewed was the process used by the DHS Office of Operations Coordination and Planning and the Under Secretary for Management's Office of the Chief Information Officer to gather user requirements for an upgraded Homeland Security Information Network or HSIN. The HSIN is a Web-based information system developed for the entire homeland security enterprise to be able to share homeland security information, such as intelligence information, law enforcement information, training material, policy, best practices and more. The initial HSIN system was developed quickly after 9-11 and did not involve state, local, tribal governments or private sector input into the development of the system. For the upgraded system, DHS used a structured model to include such input.

The models were researched in order to identify either a model in whole or possible traits within a model to be used to develop a better policymaking process for the White House National Security Staff and federal executive branch homeland security policymakers.

2. Criteria

To determine the criteria to evaluate the models against, research was conducted on collaborative government, policymaking, decision-making, and policy and program implementation. In reviewing research on collaboration, one paper suggested "success is

understood as the integration of stakeholders' input into policy formulation and a willingness among policy makers to act on this input" (Woodford, 2010, p. 97). Collaboration, by definition, requires stakeholders to share problems, issues, and perspectives as they work together to solve problems beyond the abilities of an individual stakeholder (Woodford, 2010). Collaborative policymaking is unique, but it can lead to policy that has stakeholder support, and it can promote trust between stakeholders, foster mutual learning, and increase government transparency, accountability, and legitimacy (Bevir, 2009). As a process, collaboration requires trust, openness, and equality of the participants (Woodford, 2010). In addition, research has shown that to be meaningful or effective, participation in collaborative policymaking must have the potential to effect policy decisions (Woodford, 2010).

In a September 2004 report on effective regional coordination, the U.S. General Accounting Office (GAO) found several key characteristics of effective collaboration and coordination in the homeland security arena. First, successful collaborative organizations provide structured forums to discuss policy problems, agree on possible solutions, and they include representation from many different jurisdictions and diverse stakeholders (GAO, 2004). The decisions made collaboratively within these organizations generally have broader support than those that are made unilaterally. Second, because national homeland security policy development is not traditionally a collaborative endeavor, there needs to be prescriptive requirements regarding group membership, decision-making processes, and planning that can establish minimum thresholds for those activities and may provide an incentive for coordination (GAO, 2004).

Similar success factors were identified in other research through the evaluation of successful collaborative policy development process and program implementation. First, collaboration—its adoption and successful implementation—depends on the willingness and support of the participants. The participants must have an appreciation of others perspectives, competencies for collaboration, and commitment to the process. When key senior government officials support the process by communicating their commitment as well as their belief in collaboration and support for policy change, it can create a facilitating context for successful policy collaboration.

Second, the design of the collaborative group influences the outcome (Woodford, 2010). There is value to establishing a group representing different parts of the homeland security enterprise. But the group needs to have a formalized coordination committee or liaison roles, and the participants need to have sufficient authority (Hocevar & Jansen, 2006). From a problem-solving perspective, the merits of having stakeholders from various parts of the enterprise are common sense. One study demonstrated that having a range of representatives from community and government working together contributed to the success of a specific policy initiative (Woodford, 2010).

Third, collaborative groups have been more successful when they have clear purpose, goals, and objectives. Although homeland security is filled with uncertainty, clear goals, and objectives allow partners to compare the collaboration to expectations thereby seeing the benefits of the relationship.

Fourth, it is essential to ensure that facilitators have the competencies needed to advance successful collaboration, such as strong organizational, communication, and group skills (Woodford, 2010). It is also vital that they understand the importance of being authentic and transparent in the process. It would stand to reason that the environment or tools establish to conduct the collaboration should be effective.

Fifth, developing trust, respect, open communication, and a sense of equity were factors for success. Hocevar and Jansen's study of collaborative capacity for homeland security (2006) calls this organizational design component affecting collaboration "lateral mechanisms." This includes social capital (i.e., interpersonal networks), effective communication and information exchange, and technical interoperability as key success factors. Likewise, the quality of the relationships involved is an important variable.

Sixth, GAO found that stakeholders require sufficient time to provide to review policy artifacts in order to provide substantive input (GAO, 2011).

However, according to Woodford's research, there are factors that may inhibit collaborative government policy collaboration no matter what model is used to facilitate the collaborative process (2010). First, the bureaucratic nature of government is poorly suited for collaboration. Second, in his research, Woodford found that organizational

leaders represent community agencies, whereas individuals with no or very limited policy authority often represents government. Third, related to the first, government staff may see collaboration as a technical process and possible as a way to neutralize community agencies' policy change goals (Woodford, 2010). Likewise, the barriers to collaboration can be the opposite of the success factors, for example, divergent goals, inadequate authority of participants, inadequate communication and information sharing, distrust, and so on. For homeland security policy development at the White House, the first factor may be an inhibiter, however; the second one is not because the National Security Staff have the policy authority of the Office of the President. The third factor could inhibit policy development unless the NSS is committed to developing a truly collaborative policy.

In conclusion, this thesis evaluates the models against collaborative criteria. It looks at whether the models:

- provide structured forums to discuss policy problems and agree on possible solutions;

- include representation from many different jurisdictions and diverse stakeholders, providing for the widest, diverse input possible;

- provide prescriptive requirements regarding group membership, decision-making processes, and planning;

- establishes transparency; establishes equality among local, state, federal government and private sector/NGO stakeholders with respect to consideration of policy input; and

- provides sufficient time for stakeholders to review while giving White House policymakers sufficient flexibility within their tight time frames.

B. LITERATURE REVIEW

The literature review will be subdivided within the categories of research literature that were reviewed with respect to homeland security policy development and the inclusion or lack of inclusion of state, local, and tribal governments. It will aim to identify the information about building a case for integration as well as solutions offered. These categories will be: (1) government reports, (2) journal articles, and (3) other sources such as scholar white papers and "think tank" reports.

1. Governmental Reports

There are government reports, Congressional testimony, and legislative branch reports that discuss homeland security policy development and the need for state and local government involvement, especially as it relates to preparedness and response. A report by Senate Governmental Affairs Committee, Full Minority Staff issued in August 2003 identified that state and local officials wanted to have a seat at the table as the administration grapples with homeland security protection. They also desired homeland security information that would allow them to deter, prevent, mitigate, prepare, and, if necessary, respond to acts of terrorism. In other Congressional testimony, GAO discussed issues critical to successful federal leadership of, assistance to, and partnership with state and local governments to enhance homeland security (GAO, 2002). One of the main points regarding success was that appropriate roles and responsibilities within and between the levels of government needed to be clarified; however, GAO did not offer any recommendations about how to accomplish the partnership.

Additional Congressional testimony on five and 10 year Homeland Security Goals, Paul Stockton calls for horizontal integration across the 22 agencies within DHS as well as vertical integration between DHS and state and local partners (Stockton, 2007). He argues that collaborative relationships and processes will result in strategies, plans, and risk assessments that will be far superior to those developed strictly by federal staff (Stockton, 2007). On the other hand, Corey Gruber, Director, Office for Policy Initiatives and Analysis, Office of State and Local Government Coordination and Preparedness, testified in 2005 that DHS is working *very closely* with state and local officials to develop a National Preparedness Goal, Universal Task List, and other national preparedness strategies (Gruber, 2005). The question arises with respect to how effective was the coordination—were the state and local officials truly "at the table" and did the process used to develop these products with inclusion of state and locals work? The testimony does not provide evidence to answer those questions.

In a Congressional Research Service (CRS) report on Homeland Security National Exercise Program, CRS reported similar concerns about the ability of federal, state and local entities working together to develop and then exercise homeland security

plans (Congressional Research Service, 2008). The same report points out the lack of a clear connection between the National Exercise Program and state, territorial, local, and tribal government exercise programs.

2. Journal Articles

There have been numerous articles in the *Homeland Security Affairs* journal, mostly authored or co-authored by Paul Stockton (Roberts, 2008; Stockton, 2009) regarding integrating state and local governments into the national homeland security policy making. Paul Stockton identifies many of the issues and also presents a solid case for the integration. In all the literature reviewed, he is the only one that has provided a suggested solution to the problem with respect to "how to" perform this integration. He advocates for state and local representation on the Homeland Security Council but raises a number of issues that may prevent the successful implementation of that solution (Stockton, 2006). He does not provide a detailed concept of operations type solution to implement and test; however, Stockton does make the point that scholars and policymakers have only begun to examine how to take better advantage of state and local expertise in the policy making process (2006).

In *Findings from the Forum on Homeland Security after the Bush Administration: Next Steps in Building Unity of Effort* (Roberts & Stockton, 2008), the authors define "unity of effort" and discuss the challenges to achieving it. The two problems Roberts and Stockton present: (1) disagreement over the definition of homeland security and (2) the priorities that ought to drive homeland security. The authors present additional suggestions on how to establish "unity of effort" in the homeland security policy realm. The recommendations fall in four areas. First, they make recommendations to change internal DHS organizational structures. Second, with respect to Department of Defense, they recommend definitional changes. Third, with respect to states and localities, they make recommendations in two categories: changes within DHS and changes at the state and local levels to lessen their dependence on DHS. One recommendation in particular demonstrates the lack of specificity in the research regarding solutions to policy integration. They recommend improving the way that states and localities select their

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representatives to provide input. The authors do not elaborate on how this should be accomplished with the exception of saying that "the associations that represent states, localities, and other non-federal partners in homeland security need to organize themselves" (Roberts & Stockton, 2008). Fourth and final recommendations were around the private sector and included an interesting idea that warrants research; the idea was to apply the sector partnership model to state and local governments.

In his article "Federalism, Homeland Security and National Preparedness: A Case Study in the Development of Public Policy," Sam Clovis agrees that homeland security is a national issue but recommends that state and local governments have maximum flexibility in implementing homeland security programs (Clovis, 2006). He sees the federal government as providing facilitation and leadership. This view seems contrary to one of working together on setting priorities.

Finally, an article in the *Journal of Public Administration Research and Theory* examines the determinants of sub-national vertical collaboration in two settings. (Mullin & Daley, 2009) While this article deals with state and local collaboration, it demonstrates an area of research to further develop with respect to Federal and state/local interaction.

3.   Other Sources: Think Tank Reports, White Papers

In the Gilmore Commission's December 15, 2003 fifth and final annual report entitled *Forging America's New Normalcy: Securing Our Homeland, Protecting Our Liberty* (Gilmore Commission, 2003)*,* the authors lay out a "future vision" for 2009 that calls for states, localities, and private sector to be fully and consistently integrated into planning and decision making processes. The vision calls for the Homeland Security Council to engage "continuous, sustained, and well-organized dialogue with all levels of government, the private sector, and academia to develop a forward-looking vision of readiness efforts" (Gilmore Commission, 2003). While some of the elements of the entire vision have been achieved in the five-year time frame envisioned, many others have not, such as the sustained, well-organized dialogue.

In a 2006 Naval Postgraduate School thesis, *Establishing a Homeland Security Field Structure* (Dunn, 2006), the author recommends establishing a DHS field structure in order to provide a more effective approach to coordinating homeland security missions with state and local governments. This recommendation was never implemented and may be worth investigating from a policy development perspective; however, assumptions and statements made in the paper are not valid or no longer true. For example, there is no longer an Office of State and Local Government Coordination and Preparedness in DHS, and DHS did not complete or implement the concept of Federal Preparedness Coordinators in Urban Areas Security Initiative (UASI). In addition, the proposed solution was aimed at engaging state, local, and tribal governments in planning, information sharing, and analysis not specifically for providing state and locals the ability to influence federal preparedness policy.

In a 2007 report, the Homeland Security Advisory Council recommended that the Secretary conduct a Quadrennial Homeland Security Review consulting with federal, state and local governments (Homeland Security Advisory Council, 2007), but it does not specify the best method to achieve that goal. A more recent article in the *Backgrounder*, a Heritage Foundation periodical (Baca, 2010), builds a case for state and locals to participate in the federal homeland security process. While it commends DHS' outreach efforts during the quadrennial homeland security review, it stated the process was "immature, inefficient, and of doubtful value"(Baca, 2010). It did not provide sufficient evidence to back up that claim. However, the article proposed another possible solution for inclusion of state and locals in the federal policy process—suggesting that the President issue an executive order to give states and localities a seat at the federal policy table, add representatives to the National Security Council Interagency Policy Committees, and make them equal partners with federal agencies. However, again, the fine details to accomplish this solution are absent from the literature.

The Heritage Foundation's article touched on federalism, as does some of the other literature. In a *Homeland Security Affairs* article entitled "Federalism, Homeland Security and National Preparedness: A Case Study in the Development of Public Policy,"

the author explores the relationship between federalism and homeland security national preparedness (Clovis, 2006). The author goes on to recommend a framework of "Collaborative Federalism" for homeland security.

A review of material published by the U.S. Army War College (thesis paper) and its Strategic Studies Institute (monographs) showed that significant research has been conducted on the interagency process as it relates to national security and post-conflict nation building and reconstruction (Bartholomees, 2010). In his paper *Interagency Reform for the 21st Century*, Gregg Gross points out that the 2002 National Security Strategy contained the implicit requirement to improve interagency organization and processes (2006). He cites numerous examples of Presidential Directives and government-sponsored reports calling for interagency reform to manage the National Security environment that has changed since the cold war and even more importantly since 9/11 (Gross, 2006). Similarly, and more recently, the Iraq and Afghanistan wars have shed light on the need to have interagency cooperation for reconstruction efforts in both countries. In Volume II of the U.S. Army War College Guide to National Security Issues, an entire chapter is dedicated to national security and the interagency process (Marcella, 2010).

All these documents reviewed focused mainly on national security and overseas operations and the requirement for interagency coordination and reform of those processes. While some of the research and recommendations may be applied to the homeland security environment, the research does not cover the breadth and depth of the homeland security environment and its stakeholders. Most of the papers apply to the DoD and the State Department and the need to bring in additional Departments such as Treasury, Agriculture and Commerce. The homeland security environment includes those departments plus many other federal departments, 56 states and territories, and 87,000 local jurisdictions (Bush, 2002 p. vii).

4.   **Summary of Literature Review Findings**

In summary, while the literature review shows that there is a strong need and desire for state, local, tribal, and federal governments working together to develop

homeland security policy and strategies, it does not present an innovative, integrated national policy and strategy process that would enable the country to better address complex homeland security environment. According to the literature researched, most concluded that when developing homeland security policy and strategies, including follow-on implementation plans, procedures, systems and requirements, the White House National Security Staff and federal interagency homeland security leaders have not adequately incorporated state, local, tribal, and private sector homeland security and emergency management personnel into the policy development process.

To address these shortcomings, this thesis will provide an overview of current models used to incorporate state and local input into national homeland security policy. It will also provide an evaluation of the different models and ultimately a recommendation for a model for integrated homeland security policy development for the White House National Security Staff.

Since the National Security Strategy was issued in 2007, there has been an interest from the federal side to include state and local input into homeland security policy and plans. Some ideas have been presented on how to best accomplish this task; however, the literature has not put forward a specific model. In addition, the literature is devoid of a comparison between alternative policy options and the current homeland security policy development model.

Prior to 9-11, it was not necessary for local, state, tribal and federal government entities to work together in an integrated manner. As more man-made threats are identified and natural disasters are experienced, and national strategies are developed to mitigate them, state, local, tribal, private sector and non-governmental entities will be part of the implementation of those strategies therefore; they need to be part of their development. This research is timely as the homeland security enterprise matures.

The next three chapters will provide a description and review of the models selected. The model will be described and evaluated against the criteria. In addition, if the model was evaluated by an outside entity, that analysis is also included. The final two chapters include a summary of the analysis and the conclusions of the research.

III. CURRENT HOMELAND SECURITY POLICY PROCESS

A. HISTORY

1. Early National Security Coordination

National security decision and policymaking processes are critical to the management of the national security interests of the United States. Historically, the national security policymaking process is based on analysis of the international situation, including diplomatic, economic, intelligence, and military factors. Based on a comprehensive assessment, the President's administration implements its national security policy by using the most appropriate instrument of policy—military, diplomatic, economic, based on the intelligence services, or a combination thereof (Best, 2011). Prior to the twentieth century, the President of the United States was the primary coordinator of national security policy.

The Constitution designates the President as Commander-in-Chief of the armed forces (Article II, Section 2) and grants him broad powers in the areas of foreign affairs (Article II, Section 2). Prior to the twentieth century, the President typically coordinated policy development and implementation with his cabinet. This was due to the fact that the U.S. had limited foreign involvements, small number of armed forces, relative geographic isolation, and no proximate threat. The U.S. followed non-interventionism policies starting with George Washington and continuing throughout the nineteenth century; however, this changed with the start of World War I.

Because the war was the most complex military effort that the U.S. had faced in a long time, it involved both domestic and international coordination and the President could not perform all coordination required alone. In 1916, the Army Appropriation Act of 1916 established the Council of National Defense, which consisted of the Secretaries of War, Navy, Interior, Agriculture, Commerce and Labor. The Council was intended as an economic mobilization-coordinating group. While considered a national security initiative, the inclusion of Departments such as Labor, Commerce, Agriculture, and Interior could be construed as the first elements of homeland security whereby domestic-

based departments contributed to policy and efforts to protect the United States. The Council was disbanded in 1921, but it set a precedent for coordinative efforts that would be needed in World War II (Best, 2011).

The President remained the sole national security coordinator until April 1938 when, due to prewar crisis presenting threats and challenges to the U.S., President Franklin Roosevelt approved a proposal by Secretary of State Cordell Hull to create a standing committee made up of the Under Secretary of State, the Chief of Staff of the Army, and the Chief of Naval Operations, for purposes of liaison and coordination (Best, 2011). The Standing Liaison Committee was the first significant effort toward interdepartmental liaison and coordination. In 1945, Roosevelt created the State, War, Navy Coordinating Committee (SWNCC), which had its own secretariat and a number of regional and topical subcommittees. SWNCC operated through the end of the war and beyond.

2.   The Creation of the National Security Council

The National Security Council was created as part of a larger reorganization of the United States national security structure established by the National Security Act of 1947. The legislation also established the Central Intelligence agency headed by the Director of Central Intelligence (DCI) and a National Military Establishment under the Secretary of Defense.

The NSC appears in Section 101 of Title I, Coordination for National Security, and its purpose is stated as follows:

> (a) ... The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

> (b) In addition to performing such other functions as the President may direct, for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Government relating to the national security, it shall, subject to the direction of the President, be the duty of the Council

(1) to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection there with; and

(2) to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith. . . .

(d) The Council shall, from time to time, make such recommendations, and such other reports to the President as it deems appropriate or as the President may require. (50 USC 402)

Statutory members of the NSC established by the act included: the President; the Secretaries of State, Defense, Army, Navy, Air Force; and the Chairman of the National Security Resources Board. The President was given the ability to designate other cabinet members and officers as members from time to time but further expansion of NSC required Senate approval. In 1949, amendments to the National Security Act changed the membership of the NSC to the President, Vice President, Secretaries of State and Defense, and Chairman of the National Security Resources Board and it made the NSC part of the Executive Office of the President.

President Truman did not routinely use the NSC until the Korean War outbreak in 1950. During that time, Truman established many of the procedures that remain today, including interagency committees with responsibilities for specific regional and functional areas, analysis and development of policy options, and recommendations for Presidential decisions.

The NSC expanded and contracted in size and function during the administrations from Eisenhower through Reagan. President Eisenhower institutionalized and expanded the NSC; he created the position of Special Assistant for National Security Affairs, a position that remains today. He "saw the NSC process as one which produced a consensus within the Administration which would lead to effective policy implementation" (Best, 2011, p. 10). On the other hand, President Kennedy did not value the formal NSC procdures and reduced the size of the NSC to its statutory requirement and the staff work was done mainly by some departments and ad hoc task forces.

President Johnson followed Kenndey's NSC structure. President Nixon, having been associated with the Eisenhower Administration, expaned the NSC and had a staff strucuture that resembled Eisenhower's. President Ford kept most of Nixon's NSC structure. However, under President Carter, the NSC was again contracted, reducing the number of NSC staff and comittees. President Reagan relied more on departmental leadership from State, Defense, and CIA instead of the NSC staff. The Reagan NSC has been criticized for having major limitations (Best, 2011).

The George H. W. Bush administration established the NSC structure that has essentially remained through the subsequent administrations right up to today's Obama administration. President George H. W. Bush issued National Security Directive 1 (NSD-1) that established three NSC sub-groups. The NSC Principals Committee was composed of the Secretaries of State and Defense, the Director of Central Intelligence (DCI,) the Chairman of the Joint Chiefs of Staff (JCS), the Chief of Staff to the President, and the National Security Adviser, who was the Chairman. The NSC Deputies Committee, chaired by the Deputy National Security Adviser, was composed of second-ranking officials. There were also a number of NSC Policy Coordinating Committees, chaired by senior officials of the departments most directly concerned with NSC staff members serving as executive secretaries (Best, 2011). Because of his often-stated focus on domestic and economic policy priorities during the Presidential campaign, President Clinton's Presidential Decision Directive 2 expanded the NSC to include advisors including the Secretary of the Treasury, the U.S. Representative to the Unite Nations, the Assistant to the President for Economic Policy and the Chief of Staff to the President.

President George W. Bush issued National Security Presidential Directive-1, "Organization of the National Security Council System." The NSPD stated that the NSC system was to advise and assist the President and "coordinate executive departments and agencies in the effective development and implementation" of national security policies (Bush, 2001). President Bush kept the same structure with a Principals Committee consisting of cabinet members, Deputies Committee consisting of Deputy Secretaries, and Policy Coordinating Committees attended by Assistant Secretaries. He added the Attorney General as a participating member of the NSC. Finally, President Obama kept

the same structure but added the Secretary of Homeland Security and the Counsel to the President as members who would participate in NSC deliberations (White House, 2009).

President Obama issued his Presidential Policy Directive-1, *Organization of the National Security Council System* (Obama, 2009). Besides listing those who will participate in NSC deliberations, it makes reference to officials who will be specifically invited to sessions dealing with international economic affairs, homeland security, counterterrorism, and science and technology issues. It describes the membership and duties of the Principals and Deputies Committees, which are to be chaired by the National Security Adviser and the Deputy National Security Adviser, respectively. The Principals Committee will be the "senior interagency forum for consideration of policy issues affecting national security" while the Deputies Committee will "review and monitor the work of the NSC interagency process" and "shall be responsible for day-to-day crisis management" (Obama, 2009).

In the wake of the attacks of September 11, 2001, President Bush established, and President Obama maintained the Homeland Security Council to "ensure coordination of all homeland security-related activities among executive departments and agencies and promote the effective development and implementation of all homeland security policies" (Bush, 2001). The HSC was largely modeled after the NSC; therefore, the subsequent sections will describe the structure and policy processes of each, with the HSC section emphasizing differences from the NSC.

3. The Structure of the NSC

The National Security Advisor is the President's personal advisor, not subject to Senate confirmation, responsible for the daily management of national security affairs for the President. The President alone decides national security policy, but the National Security Advisor is responsible for ensuring that:

- The President has all the necessary information,
- A full range of policy options have been identified,
- The prospects and risks of each option have been evaluated,
- Legal considerations have been addressed,

- Difficulties in implementation have been identified, and

- All NSC principals have been included in the development process (Whittaker, 2010, p. 13). The National Security Staff assist the National Security Advisor in carrying out his/her duties.

Historically, it is uncommon for NSC meetings to be held that are chaired by the President with all members in attendance. Instead, NSC staff manages national security affairs through direct meetings with cabinet officers and key advisors, and through a series of committees with defined responsibilities and subject areas. The requested attendees to National Security Council meetings have been based on the leadership style of the President and whom he wants to attend for advice on issues. For example, President Obama issued Presidential Decision Directive-1 defining his national security structure and he includes, besides the statutory members: the Secretary of the Treasury, the Attorney General, the Secretary of Homeland Security, the Representative of the United States of America to the United Nations, the Assistant to the President and Chief of Staff (Chief of Staff to the President), and the Assistant to the President for National Security Affairs (National Security Advisor). Other regular attendees include: the Director of National Intelligence (as a statutory advisor) and the Chairman of the Joint Chiefs of Staff (as a statutory advisor). In addition, President Obama will invite attendees on specific topic areas. For example, invitees when international economic issues are on the agenda: the Secretary of Commerce; the United States Trade Representative; the Assistant to the President for Economic Policy; and the Chair of the Council of Economic Advisers.

Starting with the first Bush administration, the NSC has been supported by three interagency structures: the Principals Committee (PC), the Deputies Committee (DC), and Interagency Policy Committees (IPC).[1] The PC is essentially the NSC without the President and Vice President. The National Security Advisor presides over the PC, which meets on a regular basis to consider policy recommendations from the DC and IPCs. The

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[1] Under the Bush administrations, these were called Policy Coordination Committees (PCC) and under the Clinton administration they were called Interagency Working Groups (IWG).

PC will approve policy, handle contentious interagency disputes about proposed policy, and/or provide direction to the DC and IPCs to perform follow-up work or refine the policy developed or to develop implementation plans.

The DC, made up of deputy secretary level officials, is responsible for directing the work of interagency working groups and ensuring that issues brought before the PC or the NSC have been properly analyzed and prepared for high-level deliberation (Whittaker, 2010). President Obama codified this responsibility for the DC in Presidential Policy Directive 1, *Organization of the National Security Council System*, by directing that:

> NSC/DC shall ensure that all papers to be discussed by the NSC or the NSC/PC fully analyze the issues, fairly and adequately set out the facts, consider a full range of views and options, and satisfactorily assess the prospects, risks, and implications of each. (Obama, 2009)

PPD-1 also states that the DC be "responsible for day-to-day crisis management" (Obama, 2009). Historically, the DC is where the bulk of the government's policy decisions are made in preparation for the PC's review and the President's decision (Whittaker, 2010).

Subordinate to the DC are a variety of interagency working groups called Interagency Policy Committees (IPCs). These interagency committees are composed of subject matter experts and Assistant Secretary or equivalent level officials from the departments and agencies represented on the DC. IPC-type committees are the main forums for interagency coordination. In the Clinton administration, they were considered "the heart and soul of the process" (Marcella, 2010). While subtle differences exist across administrations, the IPC type committees are standing, ad hoc, regional or functional committees who meet regularly to assess routine and crisis issues, frame policy responses, and build consensus across the government for action (Marcella, 2010).

During the second term of the Bush administration and during the first years of the Obama administration, IPCs have been delegated greater responsibility for policy development to permit deputies and principals to focus on the most critical issues, therefore, they are expected to reach consensus prior to submitting policy to the DC level.

4.   The Creation of the Homeland Security Council

President George W. Bush issued Executive Order 13228 establishing the Office of Homeland Security and the Homeland Security Council (HSC) on October 8, 2001 in response to the terrorist attacks of September 11, 2001. It stated that the mission of the Office was to "develop and coordinate the implementation of a comprehensive national strategy to secure the United States from terrorist threats or attacks" (Bush, 2001). The HSC, "responsible for advising and assisting the President with respect to all aspects of homeland security," was required to "serve as the mechanism for ensuring coordination of homeland security-related activities of executive departments and agencies and effective development and implementation of homeland security policies" (Bush, 2001). It also serves as the President's principal forum for reviewing homeland security policy matters with his senior national security advisors and cabinet officials. President Bush followed the E.O. 13228 with Homeland Security Presidential Directive (HSPD)-1 on October 29, 2001; the HSPD established the organization and operation of the HSC, which was later codified in the Homeland Security Act of 2002.

One of the reasons President Bush established the HSC was due to domestic security concerns. While acknowledging that there is an international dimension, the homeland security mission is inherently different from the traditional national security mission.   In addition, homeland security has vastly different and more stakeholders such as 25-plus federal departments and agencies and state, local, tribal, and territorial governments as well as the private sector and non-governmental organizations (NGOs). National security, on the other hand, has always involved advising the president on foreign policy and involved a small circle of federal players such as Department of Defense, Department of State, and the Central Intelligence Agency.

The Obama Administration has retained the membership of the HSC as specified in the executive order and HSPD-1. The members are:

> …the President, the Vice President, the Secretary of the Treasury, the Secretary of Defense, Secretary of Homeland Security, the Attorney General, the Secretary of Health and Human Services, the Secretary of Transportation, the Director of the Federal Emergency Management Agency, the Director of the Federal Bureau of Investigation, the Director

of Central Intelligence, the Assistant to the President for Homeland Security, and such other officers of the executive branch as the President may from time to time designate. The Chief of Staff, the Chief of Staff to the Vice President, the Assistant to the President for National Security Affairs, the Counsel to the President, and the Director of the Office of Management and Budget also are invited to attend any Council meeting. The Secretary of State, the Secretary of Agriculture, the Secretary of the Interior, the Secretary of Energy, the Secretary of Labor, the Secretary of Commerce, the Secretary of Veterans Affairs, the Administrator of the Environmental Protection Agency, the Assistant to the President for Economic Policy, and the Assistant to the President for Domestic Policy shall be invited to attend meetings pertaining to their responsibilities. The heads of other executive departments and agencies and other senior officials shall be invited to attend Council meetings when appropriate. (Bush, 2001)

The support structure of the HSC mirrors that of the NSC in that it overseen by a Deputy National Security Advisor called the Assistant to the President for Homeland Security and Counterterrorism (APHS/CT) and there are the PC, DC, and IPCs. The PC of the HSC is organized as the senior interagency forum for homeland security issues, and it meets whenever necessary. Individual PC members meet on regular basis with each other to discuss developments and policy issues. Regular members of the HSC/PC include the:

- Vice President,
- Secretary of Homeland Security,
- Secretary of the Treasury, Secretary of Defense,
- Attorney General,
- Secretary of Health and Human Services,
- Secretary of Transportation,
- Director of the Federal Bureau of Investigation,
- Director of National Intelligence,
- Director of the Office of Management and Budget,
- APHS/CT,
- Chief of Staff to the President, and
- Chief of Staff to the Vice President.

The APHS/CT or other senior staff chair the meetings, and the National Security Advisor and the Counsel to the President are invited to attend all meetings. Other key Executive Branch officials may be called to attend HSC/Principals Committee meetings when issues related to their areas of responsibility are discussed. These invitees may include the Secretaries of State, Interior, Commerce, Agriculture, Labor, Energy, Veterans Affairs, and the Administrator of the Environmental Protection Agency (Whittaker, 2010).

The HSC system also has a Deputies Committee (HSC/DC). The role of the HSC/DC is to ensure that matters brought before the HSC or HSC/PC have been properly analyzed, reviewed by key interagency stakeholders, and prepared for action (Whittaker, 2010). The HSC/DC meets on a regular basis to oversee homeland security issues and manage breaking incidents. The regular members of the HSC/DC include the:

- Deputy Secretary of Homeland Security,
- Deputy Secretary of the Treasury,
- Deputy Secretary of Defense,
- Deputy Attorney General,
- Deputy Secretary of Transportation, Deputy
- Secretary of Health and Human Services,
- Deputy Director of National Intelligence,
- Deputy Directors of the Office of Management and Budget, and
- FBI.

The Deputy Assistant to the President for Homeland Security chairs the HSC/DC meetings. The Deputy National Security Advisor, Deputy Chief of Staff to the President, and Deputy Chief of Staff to the Vice President are invited to attend all meetings. Other officials may be invited to attend HSC/DC meetings when issues pertaining to their department's scope of responsibilities are involved, including Deputy Secretaries of State, Interior, Commerce, Agriculture, Labor, Energy, Veterans Affairs, and the Environmental Protection Agency.

The HSC also has subordinate IPCs and sub-IPCs that are attended by Assistant Secretary or equivalent level and Deputy Assistant Secretary or equivalent participants

respectively from the departments and agencies that make up the HSC deputies. For some IPCs, such as the Domestic Resilience Group (DRG) that handles response and preparedness issues, the membership may be slightly larger to account for the number of departments and agencies involved with those issues. The attendees are expected to be able to speak on behalf of their departments and agencies and provide resources. The HSC IPCs and sub-IPCs are the keystone of homeland security policy development and coordination, typically providing the first in-depth, broad interagency review and discussion of proposals or initiatives; they also provide policy analysis and recommendations for the HSC DC and PC. Most IPCs meet on a weekly basis.

In the post 9/11 security environment, U.S. national security and homeland security have large areas of overlapping responsibilities. Homeland security focuses on terrorist attacks within the U.S. by foreign interests, factions, and domestic groups not affiliated with external organizations or nations, as well as public safety events that occur within U.S. borders (Whittaker, 2010). National security also focuses on foreign interests and factions. As a result, in February 2009, President Obama issued Presidential Study Directive-1 that directed:

> …the Assistant to the President for Homeland Security and Counterterrorism to lead an interagency review of ways to reform the White House organization for counter-terrorism and homeland security in order to strengthen the Government's ability to craft and implement sound policies designed to keep our country secure and our citizens safe. (Obama, 2009)

As a result of the study, President Obama integrated the NSC Staff and the HSC Staff creating the National Security Staff. This staff is responsible for supporting the National Security Advisor and the APHS/CT in their policy development roles and usually presides over the IPCs and sub-IPCs.

President Obama retained the HSC as the "principal venue for interagency deliberations on the issues that affect the security of the homeland such as terrorism, weapons of mass destruction, natural disasters, and pandemic influenza" (White House Office of Press Secretary, 2009). Issues affecting the security of the homeland include a full range of transnational issues that threaten the country, including weapons of mass

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destruction, cyber attacks, terrorism, pandemic influenza, and catastrophic national disasters, such as Hurricanes Katrina and Rita that struck the U.S. Gulf coast in August and September of 2005, and the May 2010 Gulf of Mexico oil spill. In addition, because the Homeland Security Council was codified in the Homeland Security Act of 2002 (6 USC 491), President Obama cannot not eliminate the HSC without Congressional action.

5.   The HSC Policy Process

As previously stated, the primary role of the Homeland Security Council and the APHS/CT is to advise the President on homeland security and counterterrorism matters. Since 9-11, homeland security has become a critical part of overall national security and increasingly has both national and international dimensions. In President Bush's 2007 *National Strategy for Homeland Security* (*Strategy*), homeland security was defined as "a concerted national effort to prevent terrorist attacks within the United States, reduce American's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur" (Bush, 2007). The *Strategy* emphasizes leveraging a wide range of instruments of national power and influence "to prevent terrorism, protect the lives and livelihoods of the American people, and respond to and recover from incidents" (Bush, 2007, pp. 49–50). In the years since its creation, the HSC has taken an "all hazards" approach to its mission of protecting the U.S. homeland from harm. As such, homeland security policy involves a wide range of U.S. government agencies (at all levels of government) and the private sector engaged in countering threats and protecting the country both at home and abroad.

The policy process for the HSC has followed the long-standing policy process used by the NSC. The National Security Advisor is responsible for the daily management of homeland security affairs for the President and has delegated a large part of that responsibility to the APHS/CT. He/she is responsible for ensuring that:

- the President has all the necessary information,
- a full range of policy options have been identified,
- the prospects and risks of each option have been evaluated,
- legal considerations have been addressed,

- difficulties in implementation have been identified, and
- all HSC principals have been included in the policy development process.

Based on Presidential priorities, the APHS sets the strategic agenda for the administration's homeland security efforts that will be worked by the IPCs, DC, and PC.

Once the President via the National Security Advisor provides direction to develop policy to address a homeland security issue, the current homeland security development process involves the National Security Staff (NSS) developing proposed policy documents usually within a sub-interagency policy committee (sub-IPC). The interagency body refines the policy, conducts a review within members' individual agency, submits the comments to the NSS, the NSS adjudicates the comments, and refines the policy. This process can take days, weeks, months, or even years, depending on the complexity of the topic and the scope of the policy document being developed and the ability of the interagency to reach consensus. Once the NSS adjudicates the comments, the group discusses these and members plead their case if they disagree on how the comment was adjudicated.

The policy is then submitted to the Interagency Policy Committee that conducts a similar process. The IPC will focus on the issues where the interagency does not agree or where resource requirements to support the policy may be lacking or contentious. The group will also consider any implementation challenges. If consensus is reached, the documents can be finalized at this level and issued, or it can be passed up to the DC for review and approval. The DC will review a policy in two ways: first, the Deputy APHS/CT can hold a meeting to discuss; or second, the policy will be sent via what is called "paper deputies." "Paper deputies" are generally used for a document that is not controversial. The HSC Executive Secretariat will send the document to the various departments for Deputies to review and provide written approval usually by email. If the DC approves the policy, many times it will go directly to the President for signature. However, if there are still unresolved issues or conflicts with the policy, then it will be sent to the Principals Committee for review and discussion. In 2008, there were over 325 in-person Deputy meetings and additional paper deputies on top of that.

Prior to review by the President and subsequent decision the PC will meet and approve policy that is usually final coming out of the Deputies Committee. If there are particular interagency disagreements remaining, the PC will adjudicate the issue prior to recommending a policy to the President for his signature. Again, not all policy reaches the PC or the President's level unless it is a major policy document such as a HSPD or a national strategy.

The HSC under President Bush developed 25 Homeland Security Presidential Directives for his signature (see Appendix A for the list of directives). These policies ranged from combating weapons of mass destruction to managing domestic incidents to maritime security strategy.

In addition, the HSC and the interagency prepared and approved over 15 other national homeland security strategies and policies. For example, strategies related to national preparedness include the overarching *National Strategy for Homeland Security* (July 2002, revised in October 2007), along with 11 "subject-specific" strategies issued through the Homeland or National Security Councils. A list of these strategies and plans can be found in Appendix A.

B.   ASSESSMENT OF CURRENT HSC POLICY MAKING MODEL

1.   Examples of Where It Has Worked and Where It Has Not Worked

In order to address homeland security priorities, the HSC recommends policies to the President that integrate various departmental and agency perspectives and have been coordinated across the federal government using the HSC policy process established in HSPD-1 and described in the previous section. Because the 9-11 paradigm replaced the traditional nation-state threat, such as the Soviet Union with non-state actors like al-Qaeda, and replaced the tools of war with suicide bombers, state and local governments and the private sector will take on more responsibilities to prevent, protect, respond, and recover from terrorist attacks (Baca, 2010). This shift from a federally led national security environment where the key actors are the State Department, Department of

Defense, and the CIA to homeland security environment where the key actors are over 30 federal departments and agencies as well as state, local, and tribal governments requires a different policy process.

It was recognized early on that these policies should be coordinated with state and local governments, as well as appropriate entities in the private sector; however, there are no representatives from local or state governments or the private sector on the HSC or the IPCs. GAO called for state, local, and private sector integration as early as April 2002 when it issued its testimony *National Preparedness: Integration of Federal, State, Local, and Private Sector Efforts is Critical to an Effective National Strategy for Homeland Security.* The departments and agency participants on the IPCs are expected to socialize policy with their constituents. As an example, DHS and FEMA have taken the lead in working preparedness and response policy issues with the local and state governments and private sector while Department of Justice and the Director of National Intelligence work prevention and protection policy issues with constituents. The processes used to socialize policy and gather input from the over 87,000 jurisdictions that are part of the homeland security environment are not well documented and are not standardized in the interagency and non-existent at the Homeland Security Council (Bush, 2002).

In 2001, President Bush's Chief of Staff Andrew Card promised that state and local governments would be represented on the council (Stockton, 2008); however, that never happened. Instead, Bush established the Homeland Security Advisory Council, which included state and local and private sector officials, to make recommendations to the HSC. The panel is purely advisory and does not participate in IPCs or DC/PC deliberations. There is no evidence that their recommendations were incorporated into policy.

From a positive perspective, DHS developed task forces and advisory bodies that included state and local representation. DHS, as is required for other federal agencies, uses tools such as the "notice of proposed rule making," to provide an opportunity for state and local governments to comment when it adds, removes, or changes a regulation (Baca, 2010). DHS has also created a new state and local outreach office and other sate and local working groups to increase stakeholder outreach. As will be discussed later in

this thesis, during its *Quadrennial Homeland Security Review*, DHS established an information technology platform and a facilitated process to allow state and local homeland security professionals—first responders and first preventers—to participate in shaping the homeland security review (2010). While these efforts are a start, many experienced homeland security professionals and scholars do not believe that these initiatives have fundamentally altered the national policymaking structure in Washington, D.C. The HSC and DHS do not fully represent the equities and resources outside of the federal government (Baca, 2010).

Another example of where the HSC policy process should have included state and local input into policy was the development and the implementation of HSPD-5 *Management of Domestic Incidents* and HSPD-8 *National Preparedness*. Because there was no state or local representation on the HSC, these two directives were developed by the federal interagency. The purpose of HSPD 5 was "to enhance the ability of the United States to manage domestic incidents by establishing a single, comprehensive national incident management system" (Bush, 2003). It also established the policy requiring that the U.S. government "ensure that all levels of government across the Nation have the capability to work efficiently and effectively together" and established the Secretary of DHS as the "principal Federal official for domestic incident management" and required DHS to develop a comprehensive National Response Plan" (Bush, 2003). Similarly, HSPD-8 stated (Bush, 2003):

> To help ensure the preparedness of the Nation to prevent, respond to, and recover from threatened and actual domestic terrorist attacks, major disasters, and other emergencies, the Secretary, in coordination with the heads of other appropriate Federal departments and agencies and in consultation with State and local governments, shall develop a national domestic all-hazards preparedness goal.

Both directives provide national policy that impacts non-federal stakeholders and would have benefited from their perspective when they were developed.

Similarly, in the implementation of HSPD-5 and HSPD-8, input from nonfederal stakeholders, such as state and local governments, nonprofit groups, and the private sector, was poorly integrated into the artifacts required by the HSPDs (CRS, 2008).

Congress even tried to ensure input by addressing the issue in Section 653 of the Post-Katrina Act, where Congress required DHS and FEMA to develop operational plans with state, local, and tribal government officials (42 U.S.C. 753). According to a June 2008 GAO report, *National Response Framework: FEMA needs Policies and Procedures to Better Integrate Non-Federal Stakeholders in the Revision Process*, DHS initially included nonfederal stakeholder input in the creation of the NRF but later "deviated" from the process. Rather than disseminating the first draft of the NRF to federal and nonfederal stakeholders, DHS conducted an internal review of the document. GAO found that the issuance of a later draft to nonfederal stakeholders was delayed, reducing the amount of time for the stakeholders to respond with comments on the draft (GAO 2008). Additionally, GAO reported that DHS failed to establish FEMA's National Advisory Council (NAC) by the December 2006 deadline that was set forth in Section 508 of the Post-Katrina Act. According to the act, the NAC is responsible for incorporating the input of state, local, and tribal governments and the private sector in the development and revision of the NRF. GAO recommended that, for future NRF revisions, FEMA should issues policies and procedures that clearly describe how FEMA will integrate all stakeholders, including the NAC and other non-federal stakeholders (GAO, 2008).

Another example of where non-federal stakeholder involvement was necessary but was not complete was in the HSC's development of *The National Strategy for Pandemic Influenza* (National Pandemic Strategy) and *The Implementation Plan for the National Strategy for Pandemic Influenza* (National Pandemic Implementation Plan), which was issued in November 2005 and May 2006 by the President and the HSC (GAO, 2008). Key non-federal stakeholders, such as state and local governments, were not directly involved in the development of the documents even though these stakeholders were expected to be primary responders to an influenza pandemic.

Federal coordination with state, local, and tribal governments and other stakeholders is necessary to produce effective homeland security strategies that result in successful outcomes. For example, the re-write of the National Response Plan had little state and local input and, as a result, the first real test of the NRP—the response to Hurricane Katrina—was extremely ineffective. In its *Hurricane Katrina Lessons*

Learned report, the White House said that the storm demonstrated the need for greater integration and synchronization of preparedness efforts, not only throughout the federal government, but also with state and local governments and the private and non-profit sectors as well (U.S, Executive Office of the President, 2006, p. 50). In another example, the President Obama issued Executive Order 13257 of December 30, 2009, *Establishing Federal Capability for the Timely Provision of Medical Countermeasures Following a Biological Attack.* (Obama, 2009) The order specifically calls for the development of (1) a national U.S. Postal Service medical countermeasures dispensing model for U.S cities to respond to a large-scale biological attack, with anthrax as the primary threat consideration and (2) a federal rapid response capability to dispense medical countermeasures to an affected population following a biological attack. However, because the states and locals were not consulted on this executive order, city officials from Chicago, San Francisco, and Los Angles all pushed back on the concept during federally sponsored exercises in 2010 and 2011. These cities are developing different plans for a medical counter measure (MCM) response and as a result, in a real event, the response may not be well coordinated or executed and loss of life could result.

However, there were three areas where the HSC process did work well with respect to the National Pandemic Strategy and Implementation Plan. First, there was a high degree of federal interagency participation in the development of these documents and the resulting 300 plus artifacts resulting from the implementation plan. The Pandemic IPC met at least weekly for almost three years and contained over 25 regular members attending. All members had to approve all actions that were taken, which resulted in an unprecedented level of teamwork never seen in an IPC up until that point. Second, the HSC provided a high level of transparency into the pandemic preparedness and response plans through issuance of these two detailed documents. The GAO called the documents "an important first step in guiding the nation's preparedness and response activities, calling for a series of actions by federal agencies and expectations for states and communities, the private sector, global partners, and individuals" (GAO, 2007). Thirdly, the IPC conducted a thorough review of all 53 states' and territories' pandemic plans and provided written feedback to ensure the plans were meeting the intent of the

National Pandemic Strategy. This level of engagement with the states by an IPC was unprecedented, and it resulted in the states having better plans and more buy-in to the pandemic planning process.

2. Evaluation Against Criteria

This section evaluates the current HSC policy development process against the criteria established in the methodology. It looks at whether or not the model:

- provides structured routine forums to discuss policy problems and agree on possible solutions;

- includes representation from many different jurisdictions and diverse stakeholders providing for the widest, diverse input possible;

- provides prescriptive requirements regarding group membership, decision-making processes, and planning; establishes transparency;

- establishes equality among federal members with respect to consideration of policy input; and

- provides timeliness- the model provides sufficient time for stakeholders to review while giving NSS sufficient flexibility within their tight time frames.

Because homeland security involves domestic issues, HSC coordination challenges involve wide range of Executive Branch agencies, state, local, and tribal governments, non-governmental organizations (NGO) and private sector interests. Therefore, the HSC needs to consider input from all entities when developing homeland security policy. Planning considerations for homeland security that are likely to require state-level resource commitments; affect immigration, trade, or other economic issues; produce outcomes that are harder to visibly demonstrate (i.e., policies that produce greater security means that potential attacks are thwarted and become "non-events"); and affect a wide range of federal, state, local, and private sector entities are highly likely to have local political as well as national security effects and implications.

The HSC process, particularly the IPC-DC-PC structure, provides structured forums to discuss policy problems, agree on the problem set, and offer possible solutions. For example, depending on the scope of their responsibilities, some IPCs meet regularly (weekly or even several times daily in a crisis situation), while others meet only when

developments or planning require policy synchronization. They are responsible for managing the development and implementation of national and homeland security policies when they involve more than one government agency. The IPC, DC, and PC have specific NSS staff to lead each group, and they provide an email containing meeting agendas with specific items of discussion or proposed decision-making items as well as a "read ahead" package, which contains the policy proposal(s) to be discussed at the meeting. Finally, they will provide a summary of conclusions after the meeting to describe what occurred and any action items expected of the attendees. If an action includes commenting on a proposed policy, the NSS will provide a comment matrix for the IPC/DC members to document their comments and proposed changes. See Figure 1 for sample IPC agenda and Figure 2 sample comment matrix.

```
                Domestic Resilience Group IPC
                   DATE:    September 9, 2011
                 LOCATION:  EEOB 430 B/C
                   TIME:    8:30 - 10:00 a.m.


                        AGENDA

   I.     Welcome .......................................... NSS

   II.    PPD-8 National Preparedness Goal Status .......... DHS/FEMA

   III.   Chemical Preparedness and Response Sub IPC ....... DHS/FEMA
               The Sub IPC will present an update of the Draft
               Interim Chemical Annex for the National Response
               Framework

   IV.    IND Sub IPC ...................................... DHS/NSS
               The Sub IPC is seeking approval of the following
               documents by the DRG
                 o  Health and Safety Handbook For First Responders
                    Following a Nuclear Detonation
                 o  The Health and Safety Guide For Protecting First
                    Responders Following A Nuclear Detonation

   V.     Open Discussion .................................. All

   VI.    Conclusion and Way Ahead ......................... NSS
```

Figure 1.   Sample Agenda from Domestic Resilience Group Interagency Policy Committee Meeting (From National Security Staff, 2011)

National Preparedness Goal (Draft) - Comment Submission Form				
Reviewer's Name:		Please save file as:		
Organization:		NPG_Comments_LastName_MMDDYY.xlsx		
E-mail Address:		Please submit electronically to: xxxx@.gov		
Submittal Date:				
* Category Definitions:				
C	CRITICAL: significant content issue that should be addressed (i.e., content would cause conflicts, flaws, confusion, and/or voids when implemented)			
S	SUBSTANTIVE: factually incorrect information			
E	EDITORIAL: typographical, grammatical, or formatting errors; vague or unclear meaning			
Page	Line/Row #	Recommendation/Proposed Language	Reason/Supporting Citation	Category (C/S/E)*

Figure 2.   Sample Comment Matrix (From National Security Staff, 2011)

In the Obama administration, IPCs are expected whenever possible to find consensus before elevating issues to DCs. As described earlier, the HSC process includes about 26 federal department and agency representatives, unlike the NSC process that includes substantially less participants.

However, the HSC model does not include representation from diverse, non-federal homeland security stakeholders. There are no local, state, tribal, or territorial government representatives in the HSC process. In addition, there are no representatives from the Homeland Security Advisory Committee as promised by the Bush administration. It does not include a forum for input or discussion of solutions with non-federal stakeholders.

The HSC process does provide prescriptive requirements regarding group membership, decision-making processes, and planning. As defined in HSPD-1, IPC members will have representatives from each member agency of the DC and:

> the HSC/DC shall have the following as its regular members: the Deputy Secretary of the Treasury; the Deputy Secretary of Defense; the Deputy Attorney General; the Deputy Secretary of Health and Human Services; the Deputy Secretary of Transportation; the Deputy Director of the Office of Homeland Security (who serves as Chairman); the Deputy Director of Central Intelligence; the Deputy Director of the Federal Bureau of Investigation; the Deputy Director of the Federal Emergency Management Agency; the Deputy Director of the Office of Management and Budget; and the Assistant to the President and Chief of Staff to the Vice President. The Assistant to the President and Deputy National Security Advisor shall be invited to attend all meetings of the HSC/DC. The following people shall be invited to attend when issues pertaining to their responsibilities and expertise are to be discussed: the Deputy Secretary of State; the Deputy Secretary of the Interior; the Deputy Secretary of Agriculture; the Deputy Secretary of Commerce; the Deputy Secretary of Labor; the Deputy Secretary of Energy; the Deputy Secretary of Veterans Affairs; the Deputy Administrator of the Environmental Protection Agency; the Deputy National Security Advisor for Combating Terrorism; and the Special Advisor to the President for Cyberspace Security. The Executive Secretary of the Office of Homeland Security shall serve as Executive Secretary of the HSC/DC. Other senior officials shall be invited, when appropriate. (Bush, 2001)

The HSPD also defines the decision-making process as:

Homeland Security Council Policy Coordination Committees HSC Policy Coordination Committees (HSC/PCCs) shall coordinate the development and implementation of homeland security policies by multiple departments and agencies throughout the Federal government, and shall coordinate those policies with State and local government. The HSC/PCCs shall be the main day-to-day for a for interagency coordination of homeland security policy. They shall provide policy analysis for consideration by the more senior committees of the HSC system and ensure timely responses to decisions made by the President. Each HSC/PCC shall include representatives from the executive departments, offices, and agencies represented in the HSC/DC (Bush, 2001).

President Bush further defined process when he issued HSPD-8 Annex I (*National Planning*) on December 4, 2007. It provided for a standardized approach to national planning:

…to integrate and effect policy and operational objectives to prevent, protect against, respond to, and recover from all hazards, and comprised: (a) a standardized Federal planning process; (b) national planning doctrine; (c) resourced operational and tactical planning capabilities at each Federal department and agency with a role in homeland security; (d) strategic guidance, strategic plans, concepts of operations, and operations plans and as appropriate, tactical plans; and (e) a system for integrating plans among all levels of government." (Bush, 2007)

The HSC process has mixed results with respect to transparency. The HSPD establishing the HSC and its process was transparent. For example, in a show of transparency, the pandemic IPC issued a 3-6-12-24 month progress report on the over 300 actions prescribed in the *Pandemic Implementation Plan* (Bush, 2006). The Pandemic IPC also corresponded with 53 state and territorial government officials in an effort to improve state pandemic plans. The IPC requested copies of the state/territorial pandemic plans and then reviewed them and provided written feedback to the states. The pandemic IPC met weekly for three years with little change in membership, resulting in a level of trust between the members, which was perceived as high. This level of trust helped facilitate effective discussions and quicker turn-around on development and review of policy documents. However, as previously noted, lack of transparency was an issue with the process used to revise the National Response Framework. While FEMA,

the sub-IPC and Domestic Resilience Group (DRG) IPC initially solicited input from non-federal stakeholders; it then kept it in the federal circle for review for over five months before sending it again to non-federal stakeholders.

While the HSPD establishes equality among federal members with respect to consideration of policy input, it does not provide equality for the Homeland Security Advisory Council or non-federal stakeholders and it does not provide for the widest, diverse input possible. As pointed out by homeland security professionals, the HSC and DHS "failed to meaningfully consult with state and local governments" in the development of the NRF and they "were under no obligation to make any changes to the draft NRF based on comments from state and local governments" (Baca, 2010). Likewise, as GAO has reported in a number of its reports on homeland security (e.g., GAO-01-1158T, GAO-02-621T, GAO-08-768) that FEMA, and other federal agencies need to integrate state, local, non-governmental, and private sector input into homeland security policy, plans, and processes.

Finally, with respect to timeliness, the HSC process is geared toward the NSS staff's requirements to develop and issue homeland security policies and strategies in an expedited manner. It does not provide stakeholders in the process significant time to review policy documents and provide substantial input. Generally, an assistant secretary represents a department on an IPC and must work within their department to ensure the officials within the department who have an interest or equity in the proposed policy have an opportunity to review and comment on the document. The department officials who have equity can be from headquarters offices or separate bureaus; therefore, it will take time to distribute and receive comments back. Often the IPC leadership will require input on a document within a week of a meeting. Recently, departments were required to return input on the National Preparedness Goal in a 24-hour period before it was final and signed. This did not provide adequate time to many large departments to ensure final concurrence.

IV. QUADRENNIAL HOMELAND SECURITY REVIEW MODEL

A. OVERVIEW OF THE MODEL

This chapter outlines the Department of Homeland Security's model used to perform the Quadrennial Homeland Security Review (QHSR) to gather and integrate stakeholder input into the QHSR report and examines whether it could be used by the National Security Staff as a model to incorporate state, local, and tribal input into the national homeland security policy and strategy development process.

1. Background

The requirement for DHS to coordinate with state, local, tribal governments, private sector, and nongovernmental organizations can be found in a variety of Presidential directives and public laws. Homeland Security Presidential Directive 5, *Management of Domestic Incidents*, issued February 28, 2003, required the Secretary of Homeland Security to "coordinate with state and local governments, and private and nongovernmental sectors to ensure adequate planning, equipment, training, and exercise activities and to promote partnerships to address incident management capabilities" (Bush, 2003). The *Post-Katrina Emergency Management Reform Act of 2006* required DHS and FEMA to partner with state, local, and tribal governments and emergency response providers, private sector and nongovernmental organizations to "build an efficient and effective national system of emergency management" (PL 109-295 Sec 503). It also required that FEMA develop "robust Regional Offices that would work with State, local, and tribal governments, emergency response providers, and other appropriate entities to identify and address regional priorities," and, section 508 of the act called for the Secretary of DHS to establish the National Advisory Council to advise the FEMA Administrator on all aspects of emergency management.

The *Implementing the Recommendations of the 9-11 Commission Act of 2007* amended Title VII of the Homeland Security Act of 2002 by adding the following:

REQUIREMENT.—(1) QUADRENNIAL REVIEWS REQUIRED.—In fiscal year 2009, and every 4 years thereafter, the Secretary shall conduct a review of the homeland security of the Nation (in this section referred to as a 'quadrennial homeland security review').

(2) SCOPE OF REVIEWS.—Each quadrennial homeland security review shall be a comprehensive examination of the homeland security strategy of the Nation, including recommendations regarding the long-term strategy and priorities of the Nation for homeland security and guidance on the programs, assets, capabilities, budget, policies, and authorities of the Department.

(3) CONSULTATION.—The Secretary shall conduct each quadrennial homeland security review under this subsection in consultation with—

(A) the heads of other Federal agencies, including the Attorney General, the Secretary of State, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of the Treasury, the Secretary of Agriculture, and the Director of National Intelligence;

(B) key officials of the Department; and

(C) *other relevant governmental and nongovernmental entities, including State, local, and tribal government officials, members of Congress, private sector representatives, academics, and other policy experts* [emphasis added]. (110th Congress, 2007)

In addition to the above requirements, President Bush's National Strategy for Homeland Security (2007) and President Obama's National Security Strategy (2010) both highlight the need for federal, state, local, and tribal governments and private sector to work together in order to protect the homeland. President Obama did not authorize a separate homeland security strategy but rather included homeland security as part of his overall National Security Strategy. In it, he stresses a "whole of government approach." The strategy concludes that homeland security is not simply about government action alone, but rather it is about the collective strength of the entire country. Furthermore, the administration's strategy also states, "the ideas, values, energy, creativity, and resilience of our citizens are America's greatest resource" and therefore, the administration must "tap the ingenuity outside government through strategic partnerships with the private sector, nongovernmental organizations, foundations, and community-based

organizations" (Obama, 2010, p. 23). DHS's *Quadrennial Homeland Security Review* is a good example of engagement and transparency (2010).

2. Overview and Description of the Process

In February 2010, the Secretary of Homeland Security delivered the first *Quadrennial Homeland Security Review* (QHSR) report to Congress. In her transmittal letter, Secretary Napolitano noted:

> …this homeland security review addresses both the threats presented and the framework for our strategic response. The QHSR identifies the importance of what we refer to as the homeland security enterprise—that is, the federal, state, local, tribal, territorial, nongovernmental, and private-sector entities, as well as individuals, families, and communities who share a common national interest in the safety and security of America and the American population. (DHS, 2010)

The purpose of the QHSR was to "outline the strategic framework to guide the activities of participants in homeland security toward a common end" (DHS, 2010). For DHS, the QHSR process and the follow-on "Bottom-up Review" (BUR) helped the Department to conduct an overall assessment of its operations and then establish a roadmap for the future. The report identified programs and capabilities that DHS needed to improve or develop, and, therefore, the report, if used correctly, should inform DHS's budget plans and submissions to Congress.

In preparing the QHSR, the Department benefited from the interaction with thousands of individuals from across the country and outside the country. According to DHS, more than 100 stakeholder associations and 500 experts from government at all levels, as well as academia and the private sector were engaged in the QHSR process (DHS, 2010).

DHS initiated the QHSR in August 2007. Led by the DHS Office of Policy, the department initially formed an internal DHS working group and conducted outreach with the Department of Defense and congressional committees to develop the department's methodology and approach for conducting the review (GAO, 2010). In July 2009, the department issued its QHSR terms of reference, outlining the framework for conducting the quadrennial review and identifying threats and assumptions to be used in conducting

the review.[2] Through the terms of reference, DHS identified the initial four homeland security missions to be studied—Counterterrorism and Domestic Security Management; Securing Our Borders; Smart and Tough Enforcement of Immigration Laws; and Preparing for, Responding to, and Recovering from Disasters—as well as three other non-mission study areas to be part of the review—DHS Strategic Management, Homeland Security National Risk Assessments, and Homeland Security Planning and Capabilities. The fifth QHSR mission on Safeguarding and Securing Cyberspace was added after DHS issued the terms of reference (DHS, 2009; GAO, 2010).

DHS established seven study groups for the QHSR corresponding to the mission areas and composed of officials from across DHS offices and components. The study groups were each led by a DHS official and facilitated by an independent subject matter expert from the Homeland Security Studies and Analysis Institute, which is a federally funded research and development center that advises DHS (GAO, 2010). The purpose of the study groups was to define the nature and purpose of the homeland security missions, describe the primary national tools required to enable those missions, and identify and bring forward any major divergent points of view regarding the mission areas or national tools. The study groups contained over 200 participants from 42 DHS directorates, components, and offices. In addition, a steering committee, consisting of DHS senior leadership, convened weekly to ensure integration and consistency across the various studies. Finally, the DHS Deputy Secretary lead senior leadership meetings at the end of the study group deliberation period to review and concur on study group recommendations (DHS, 2010). The study groups conducted their analysis over a five-month period with work products, such as outlines of missions and assumptions, being shared with other stakeholder groups, in order to develop goals and objectives for each mission (DHS, 2010; GAO, 2010). Table 1 summarizes the internal stakeholder process.

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[2] DHS distributed the draft QHSR terms of reference for internal DHS review in May 2009. The final draft QHSR terms of reference was distributed to study group lead officials in early June 2009. The Secretary of Homeland Security signed the QHSR terms of reference in July 2009 (GAO, 2010).

Table 1.   Summary of Internal Coordination Mechanisms for the QHSR Process
(After DHS, 2010; GAO, 2011; National Academy of Public
Administration [NAPA], 2009)

DHS Internal Stakeholder Coordination Mechanism	Lead agency/office	Stakeholder participants	Type of collaboration
Study Groups	DHS Office of Policy; study groups were chaired by DHS official and facilitated by a subject matter expert from the Homeland Security Studies and Analysis	DHS employees from directorates, components, offices, subject matter experts, and research analysts	Performed analysis, developed work products to be shared with stakeholder groups, and conducted meetings over a five-month period.
Steering Committee	Deputy Assistant Secretary for Policy (Strategic Plans)	DHS study group chairs and independent facilitators, Director of DHS's Office of Program Analysis and Evaluation, and representatives from DHS's Offices of Intergovernmental Affairs, International Affairs, General Counsel, Intelligence and Analysis and Science and Technology Directorate	Provided management and oversight of the QHSR report process. They met weekly in person or by teleconference to review and integrate study group materials into the QHSR report. On a monthly basis, the committee also held formal in-progress reviews with each study group.
Senior Leadership Meetings	DHS	DHS senior leadership—Deputy Secretary and the heads of each of the directorates and components	

DHS engaged with the White House National Security Staff to ensure extensive federal interagency involvement with the QHSR. Interagency input was gathered through National Security Staff sponsored Sub-Interagency Policy Committees (Sub-IPCs) and a special Interagency Strategy Coordination Group. The six special sub-IPCs, which aligned with six of the QHSR study groups, provided a forum for study groups to gather interagency input as it developed its content. According to the QHSR report, over the course of the review, study groups held over 35 meetings that included approximately

294 federal participants from 26 federal departments and agencies, thereby ensuring interagency perspectives were solicited and represented in final study group recommendations (DHS, 2010). In addition, the Strategy Coordination Group provided the interagency community an opportunity to share their feedback and perspectives on the review.

DHS also performed Congressional outreach and engagement both to gather input and perspectives and to ensure compliance with the congressional intent of the 9-11 Act, which required the QHSR. DHS provided its resource plan to Congress in early 2008 and testified multiple times over 2008 and 2009. In addition, DHS briefed numerous Congressional Committee staff members throughout 2009.

In order to ensure the widest possible outreach to key state, local, and tribal partners as well as the general public, DHS used several mechanisms over the course of the study and report development period. First, there was a "Stakeholder Call for Comment" where the Secretary of Homeland Security began the QHSR study period with a letter to 118 homeland security stakeholder organizations representing state, local, tribal, territorial, nongovernmental, private-sector, and professional interests having roles and responsibilities in homeland security activities, inviting these organizations to submit papers and other materials relating to the QHSR study areas. DHS learned that no one office within DHS held the list of stakeholders so, prior to the call for comment, a list was compiled by reaching out to each component in DHS and gathering the information. As a result of the call for comments, over 40 position papers were received and disseminated to study groups, and these papers helped to frame and inform the deliberations of the study groups. According to DHS, this early engagement of homeland security stakeholders at the beginning of the review process was a critical element of the QHSR (GAO, 2010).

Next, the most significant element of the engagement with stakeholders was the "National Dialogue on the QHSR" (DHS, 2010). DHS held three online, collaborative sessions (National Dialogues) to capture the direct input and perspectives of participants in the homeland security enterprise. Each National Dialogue presented study group materials that were posted for a period of seven to 10 days for dialogue participants to

rate and provide comment (DHS, 2010). The National Dialogues were open to anyone who wanted to provide input on QHSR content, although the Department engaged in deliberate outreach to several hundred organizations with interests in homeland security (DHS, 2010). Over the course of three dialogues, more than 20,000 visits were logged, resulting in over 3,000 comments on study group material. Revised study group materials were posted on each subsequent dialogue, demonstrating how materials evolved over the course of the review and showing participants how their comments informed study group work (National Academy of Public Administration, 2010).

Finally, the last method to collect state/local/tribal input was through what DHS called a "virtual" QHSR Executive Committee. DHS invited the leadership of the following 10 key stakeholder associations that it considered broadly representative of state, local, tribal, and territorial governments to form the committee:

- The National Governors Association,
- the Council of State Governments, the U.S. Conference of Mayors,
- the National League of Cities, the National Association of Counties,
- the National Council of State Legislatures,
- the National Congress of American Indians,
- the International City/County Management Association,
- the National Emergency Management Association, and
- the International Association of Emergency Managers (DHS, 2010).

In addition, DHS held monthly teleconferences with the participating organizations throughout the analytic phase of the review to keep these organizations appraised of review progress. The Secretary of Homeland Security also met in person with leadership representatives of the Executive Committee organizations to share key findings and recommendations of the QHSR (DHS, 2010). Table 2 summarizes the external coordination mechanisms used for the QHSR process.

Table 2.   DHS External Coordination Mechanisms for QHSR Process (After DHS, 2010; GAO, 2011; NAPA, 2009)

External Stakeholder Coordination Mechanism	Lead agency/office	Stakeholder participants	Type of collaboration
White House Sub-Interagency Policy Committees	National Security Staff and DHS Officials	Representatives from 26 federal departments and agencies and the Executive Office of the President	In-person and teleconference meetings (over 35) were held to gather input as the study groups formulated QHSR report content
Strategy Coordination Group	DHS Deputy Assistant Secretary for Policy (Strategic Plans)	Policy planners from across federal interagency and White House staff	Met monthly to provide feedback and perspectives on the review.
White House Policy Process and OMB Clearance Process	National Security Staff and OMB	Federal Departments and agencies as dictated by HSPD-1	NSS held several meetings with the Deputy Secretaries to allow DHS to address any concerns agencies. Final vetting was obtained through the OMB clearance process.[3]
Stakeholder Call for Comment	DHS	Various homeland security stakeholder organizations representing state, local, tribal, territorial, nongovernmental, private-sector, and professional interests	The stakeholders groups that were used to help frame and inform study group discussions submitted 43 documents.
National Dialogue on QHSR-Web-based Discussion Forum	DHS and the National Academy of Public Administration	Open to anyone including the general public, who wanted to provide input on the QHSR content. Other participants that DHS engaged with interests in homeland security such as business and	Provided a series of web-based collaborative discussions to obtain direct input and perspectives from participants to comment on study group materials. Each

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[3] The Office of Management and Budget Under Executive Order 11030, as amended, substantively reviews and clears all draft Presidential Executive Orders, legislation, and other key administration policy documents prior to their issuance. Office of Management and Budget (OMB) works with the policy sponsor to draft or refine the proposed order or document; submits the draft to an interagency clearance process; and works with the policy sponsors to address agency comments and resolve disputes.

External Stakeholder Coordination Mechanism	Lead agency/office	Stakeholder participants	Type of collaboration
		academia	dialogue session lasted 7 to 10 days. According to DHS, more than 20,000 visits were logged and over 3,000 comments on study group material were received.
Executive Committee	DHS	Leadership of ten stakeholder associations "broadly" representative of State, local, tribal, and territorial governments	Monthly teleconferences throughout the review and one in-person meeting in November 2009 with the DHS Secretary.

Agreement on the QHSR report's final content was reached between the Secretary for Homeland Security and senior White House officials. DHS issued the final QHSR report in February 2010.

B. ASSESSMENT OF QUADRENNIAL HOMELAND SECURITY REVIEW MODEL

This section presents an assessment of the QHSR model. The first section describes assessments of the model done by the National Academy of Public Administration, the U.S. General Accountability Office, and the Homeland Security Advisory Council. The second section evaluates the model against the criteria established in the methodology section of the thesis that is:

- whether or not it provides structured forums to discuss policy problems and agree on possible solutions;

- includes representation from many different jurisdictions and diverse stakeholders, providing for the widest, diverse input possible;

- provide prescriptive requirements regarding group membership, decision-making processes, and planning;

- establishes transparency;

- establishes equality among local, state, federal government and private sector/NGO stakeholders with respect to consideration of policy input; and

- provides sufficient time for stakeholders to review while giving White House policy makers sufficient flexibility within their tight time frames.

1. Assessment of QHSR Development Model

In April 2010, the National Academy of Public Administration issued a report, *A National Dialogue on the Quadrennial Homeland Security Review: Panel Report*, that discussed the National Dialogue aspect of DHS's QHSR process and offered recommendations to DHS on how to improve the national dialogue process should it be used in the future. National Academy of Public Administration (NAPA), a congressionally chartered organization that provides non-partisan advice and counsel to government officials at all levels, played a significant role in conducting the national dialogue. NAPA worked with DHS and its contractor to deploy the three dialogue phases so the report in part critiques NAPA's performance. The 17 recommendations fell into three categories—preparation, execution and analysis, and iteration and continuing engagement.

In preparing for future dialogues, NAPA's recommendations with respect to stakeholder engagement centered on: focusing stakeholder engagement process; enhancing DHS's capacity to coordinate stakeholder engagement across the department; and, building sufficient time for deliberations into its timetable for public engagement. In order to focus engagement, NAPA recommended that, during the preparation stages, DHS should clearly understand what is driving the need for engagement, how stakeholder engagement and input can address the need, and how it can be responsive to the feedback and incorporate it into the product or process that it is seeking input on (National Academy of Public Administration, 2010). The NAPA panel also found that the iterative structure for the dialogue enhanced the quality of the feedback and engagement. By having three sessions, the participants were able to comment, DHS incorporated their comments, and then the participants could comment again.

Because there are many components within DHS that engage with stakeholders, NAPA recommended that DHS enhance its capacity for coordinating stakeholder engagement and consultation efforts across its component agencies (National Academy of Public Administration, 2010). NAPA states:

Mission execution increasingly depends on continuous stakeholder engagement, which is powered by the strategic management and coordination of the agencies accountable to the mission. If projects are not tightly coordinated—for example, if outreach is not streamlined, key groups are left out, or efforts are heavily duplicated—stakeholders may not clearly understand how their input is integrated into government processes and policy. This threatens to reduce the credibility and long-term success of such initiatives. To deal with this, comments received by an agency should be routed to others if they 'touch' the same constituency. (National Academy of Public Administration, 2010, p. 19)

NAPA found positive differences between the Dialogue and traditional stakeholder engagement methods such as surveys, request for comments, focus groups or other traditional, mostly vertical methods. First, the Dialogue platform enabled a large number of stakeholder groups that could not be convened in person; over three sessions, more than 22,000 unique visitors visited the Website.[4] Second, by using a Web-based tool, the Dialogue provided a means to interact horizontally, that is, with each other instead of a traditional one-way feedback to DHS. In that way, stakeholders could review each other's input and comment on it and, even more importantly, gain an understanding of different partners' perspectives. Third, the Dialogue provided a uniquely transparent policy collaboration process. DHS shared not final, vetted policy products with the public. The benefits of the transparency included better buy-in, expectations, and commitment.

With respect to execution, NAPA (2010) recommended improvements in project management, stakeholder engagement, and Web-based collaborative tool use and development. It found that DHS needed to better align the outreach, content, and platform using good project management practices, including frequent meetings with the internal teams that have a role in the project. NAPA (2010) also recommended, "DHS engagements should include significant efforts to involve and gain buy-in from 'relationship managers' who maintain close ties with those stakeholders whom the engagement wants to involve." DHS needs to include not only the 118 associations that it reached out to but also its members and those homeland security professionals that are

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[4] The measurement of unique visitors is the number of unduplicated visitors to the site over a given timeframe (National Academy of Public Administration, 2010).

not part of an association. While DHS used many forms of media to reach out to stakeholders such as Twitter, Facebook, and blogs, DHS needs to allow enough time for word to spread. NAPA also recommended that DHS continue to increase its ability to engage with stakeholders via social media (National Academy of Public Administration, 2010).

In its report *Quadrennial Homeland Security Review: Enhanced Stakeholder Consultation and Use of Risk Information Could Strengthen Future Reviews*, GAO found that stakeholders needed more time than allotted to provide input and non-federal and private sector organizations were not adequately included in the process (GAO, 2010). In the GAO report, DHS officials, stakeholders GAO contacted, and other reviewers of the QHSR noted concerns with time frames provided for stakeholder consultations and outreach to nonfederal stakeholders. For example, 16 of 63 stakeholders who provided information to GAO about their experience with the QHSR had concerns with the time allotted to provide input in the QHSR (GAO, 2010). Nine of the 16 stakeholders felt that additional time would have afforded DHS a deeper engagement with stakeholders (GAO, 2010). Nine others felt that DHS consultations with state, local, and private sector entities could have been enhanced if they had included many more of these entities in the QHSR process (GAO, 2010). The GAO noted, "by providing more time for obtaining feedback and examining mechanisms to obtain nonfederal stakeholders' input, DHS could strengthen its management of stakeholder consultations and be better positioned to review and incorporate, as appropriate, stakeholders' input during future reviews" (GAO, 2010).

GAO received comments from QHSR participants that recommended that in future reviews, DHS allot more time for reviewing and commenting on draft products (2010). QHSR participants that responded to GAO also suggested starting the process earlier including the time to complete outreach and invitations to participate. A constrained time period for stakeholder outreach and input was a challenge in executing a time-limited process with a large stakeholder base (GAO, 2010). DHS had to balance the benefit of longer time periods for stakeholder input with the length of time the whole QHSR process would take. Nine other stakeholders told GAO that DHS interaction with

nonfederal stakeholders could be better especially with the private sector who plays a significant role in protecting critical infrastructure and with companies that provide emergency response services (GAO, 2010).

Finally, the Homeland Security Advisory Counsel's (HSAC) Quadrennial Review Advisory Committee (QRAC) issued its final report in May 2010 that summarized its observations and recommendations to DHS on the QHSR process. The QRAC, comprised of a diverse and representative membership, met nine times throughout 2009, and it received briefings from DHS on the QHSR process and provided its input and feedback to DHS (Homeland Security Advisory Council, 2010).

2.   Evaluation Against Criteria

This section evaluates the current QHSR development process against the criteria established in the methodology. It looks at whether the model:

- provides structured routine forums to discuss policy problems, agree on the problem and possible solutions;

- includes representation from many different jurisdictions and diverse stakeholders providing for the widest, diverse input possible;

- provides prescriptive requirements regarding group membership, decision-making processes, and planning;

- establishes transparency;

- establishes equality among local, state, federal government and private sector/NGO stakeholders with respect to consideration of policy input; and,

- provides for timeliness—the model strikes a balance between enough time for stakeholder review and a sufficiently aggressive timeline for White House policymakers given their often tight timeframes.

The QHSR process does provide for structured forums to discuss policy problems, agree on the problem set, and offer possible solutions. The QHSR established internal and external working groups to work on the QHSR. For example, within DHS, there were the Study Groups, the Steering Committee, and the Senior Leadership Group that met on a regular basis throughout the QHSR process. Each group had specific goals and objectives and regular meetings provided a structured forum to address those. Externally, for federal input, DHS used the sub-IPCs, the Strategy Coordination Group, and the

OMB clearance process to provide structured input into the QHSR. As demonstrated in the HSC process chapter, each sub-IPC has a focused agenda and comment process for documents. There were 35 sub-IPC meetings held over the course of the review. Likewise, the Strategy Coordination Group met monthly to provide a forum for participants "to identify issues being raised across multiple, similar strategic reviews and to share lessons learned and best practices on their respective reviews and planning processes" (DHS, 2010).

DHS used multiple, structured forums to discuss policy problems, agree on the problem sets, and offer solutions with local, state, tribal, and territorial partners and other non-government stakeholders. Its initial "call for comment" early in the process helped frame the entire deliberation of the study groups. Likewise, the Executive Committee, which represented 10 key stakeholder associations, met monthly with DHS officials (DHS, 2010). However, the most prominent structured forum was the national dialogue. The Dialogue consisted of three separate seven to 10 days sessions in a structured format. The Dialogue enabled stakeholders to review materials developed by each study group, submit and discuss their own ideas and priorities, and rate or "tag" others' feedback to surface the most relevant ideas and important themes deserving further consideration.

The QHSR process was designed and executed to include representation from many different jurisdictions and diverse stakeholders. The *9/11 Commission Act* only required DHS to consult with seven federal agencies in conducting the QHSR—the Departments of Agriculture, the Treasury, Justice, State, Defense, and Health and Human Services and the Office of the Director of National Intelligence (6 U.S.C. § 347(c)(1), 2007). However, DHS consulted with these agencies and also sought input from a range of other stakeholders, including its directorates, offices, and components; other federal agencies; and nonfederal governmental and nongovernmental entities and representatives, such as state and local governmental associations and individuals working in academia (GAO, 2011). By opening up the National Dialogue to general public, DHS invited the broadest input possible—essentially anyone that had access to an Internet connection

could weigh-in on the QHSR. Finally, by inviting 10 national associations to be part of the Executive Committee, DHS tried to ensure views from homeland security professionals were well represented.

The QHSR process does provide prescriptive requirements regarding group membership, decision-making processes, and planning. In developing the structure to perform the Quadrennial Homeland Security Review, developed a terms of reference that outlined the framework for conducting the review including key assumptions to be used. It also identified the study groups that would be formed to conduct the bulk of the review work.

The QHSR process was transparent within each of the QHSR elements. The QHSR terms of reference identified the organization, process, and analysis plan (DHS, 2009). It specified the group make-up, designated the officials to lead certain groups, described the process to be used, and other process information (DHS, 2009). A detailed description of the process was included in an annex of the QHSR report. The internal DHS groups also shared work products and the leads for each study group were part of the steering committee so that each group was familiar with what was happening across the study groups. Externally, transparency was obtained through the National Dialogue Website where participants could read draft work products from the study groups and view other participants' comments on those products.

The QHSR establishes equality among local, state, federal government and private sector/NGO stakeholders with respect to consideration of policy input but federal departments and agencies had more opportunities at the end of the process to provide additional input. In the QHSR report, DHS acknowledged the importance of the homeland security enterprise—that is, "the Federal, State, local, tribal, territorial, nongovernmental, and private-sector entities, as well as individuals, families, and communities who share a common national interest in the safety and security of America and the American population" (DHS, 2010). DHS also made an unprecedented effort to include all stakeholders in its QHSR process and, from the description in the QHSR report and in GAO reporting, DHS treated all input equally. However, because of the HSC process and the Office of Management and Budget (OMB) clearance process,

federal departments, and agencies had additional opportunities to provide input to the process. The QHSR was discussed and reviewed multiple times by the DRG IPC and the Deputies Committee followed by additional opportunities in the PC meeting and OMB clearance process (personal experience).

The QHSR did not provide sufficient time to the stakeholders to provide input and debate the issues and then further debate after their comments were incorporated. As mentioned previously, DHS work groups spent five months shaping the report. However, in a recent report, GAO found that stakeholders did not think they had enough time to provide substantial input. In response to GAO's request for comments on the QHSR process, 16 stakeholders noted concerns regarding the time frames they had for providing input into the QHSR (GAO, 2011). Nine DHS stakeholders, for example, responded that in their view, the limited time available for development of the QHSR did not allow DHS to have as broad and deep an engagement with stakeholders as DHS could have experienced if more time had been allotted to stakeholder consultations (GAO, 2011). Even the study group facilitators thought the stakeholders would have benefited from more time to review work products and have additional discussions.

In addition, in its report on the National Dialogue, the National Academy of Public Administration recognized that the abbreviated turnaround time between phases of the National Dialogue—approximately three weeks on average—resulted in very constrained time periods for the study groups to fully review stakeholder feedback, incorporate it into the internal review process, and use it to develop content for subsequent phases (NAPA, 2010). NAPA reported that for DHS to improve online stakeholder engagement, it should build sufficient time for internal review and deliberations into its timetable for public engagement on the QHSR, and provide the public an opportunity to see that it is being heard in each QHSR phase (GAO, 2011; NAPA, 2010). In its report, GAO (2011) recommended that DHS:

Provide more time for consulting with stakeholders during the QHSR process to help ensure that stakeholders are provided the time needed to review QHSR documents and provide input into the review, and build this time into the department's project planning for the next QHSR.

DHS concurred with the recommendation and has already starting planning for the next QHSR.

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V. HOMELAND SECURITY INFORMATION NETWORK UPGRADE

A. OVERVIEW OF THE MODEL

This chapter outlines the Department of Homeland Security's (DHS) Homeland Security Information Network (HSIN) program office's model used to gather and integrate stakeholder user requirements and input into the HSIN system upgrade and examines whether it could be used by the National Security Staff as a model to incorporate state, local, and tribal input into the national homeland security policy and strategy development process.

1. Background

One of the challenges in the homeland security enterprise is ensuring that critical information collected and analyzed by the DHS and other departments, such as the Department of Justice, is shared in a timely and secure manner with a variety of partners within federal, state, and local governments, as well as the private sector. Perceived as so important, the U.S. General Accountability Office designated homeland security information sharing as a high-risk area in 2005 and in January 2007 (GAO, 2005; 2007). Therefore, it is important that federal computer networks and associated systems, applications, and data facilitate this vital information sharing, and do it in a manner that produces effective information sharing among and between the various levels of government (GAO, 2008). This is particularly important for DHS's Homeland Security Information Network (HSIN), which is the department's primary information technology system for sharing terrorism and related information. The Homeland Security Act of 2002 directed DHS to establish communications to share homeland security information with federal agencies, state, and local governments as well as other groups. Therefore, DHS developed and implemented HSIN in 2004 as the department's primary IT system for sharing terrorism and related information with those parties (GAO, 2008).

DHS is statutorily responsible for coordinating government networks and other communications systems, like the department's Homeland Security Information Network,

with state and local governments. The Office of Management and Budget (OMB) guidance requires DHS to foster such coordination and collaboration as a means to improve government performance, including enhancing information sharing and avoiding duplication of effort. Examples of practices to help implement the OMB guidance include establishing joint strategies and developing compatible policies and procedures to operate across agency boundaries (GAO, 2007). In April 2007, GAO performed an evaluation of the DHS HSIN to determine whether DHS efforts associated with HSIN were being coordinated with key state and local information-sharing initiatives.

GAO (2011) found that DHS did not fully adhere to those practices or guidance when it coordinated its efforts on the HSIN with key state and local information-sharing initiatives. For example, when DHS developed the system, it did not work with two key state and local initiatives that were part of the Regional Information Sharing System program[5] to fully develop joint strategies to meet mutual needs (GAO, 2007). In addition, the HSIN development has been described as "a well-documented example of the failure to integrate properly" with state and local homeland security officials (Stockton, 2009). The HSIN program office did not coordinate with those officials to develop effective joint policies and procedures, nor did they integrate HSIN with existing information sharing systems and ensure that the network would meet state and local requirements (Stockton, 2009).

GAO again evaluated HSIN in October 2008 as DHS embarked on a system replacement project called HSIN Next Gen. DHS had stopped further improvements on its HSIN system in September 2007, although it did continue to operate and maintain the system while HSIN Next Gen was planned and acquired. DHS decided to replace HSIN, in part, because the existing system had security and information sharing limitations that did not meet department and other users' needs. In short, GAO found that DHS needed

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[5] This Regional Information Sharing System program is a nationwide initiative, operated and managed by state and local officials since 1974, to share criminal intelligence among stakeholders in law enforcement, first responders, and the private sector to coordinate efforts against crime that operates across jurisdictional lines. Funding for the program is administered through federal grant money (GAO, 2007).

to increase staffing in the program office, implement better management controls, including acquisition planning, requirements development and management, and risk management (GAO, 2011).

2. Description of the Homeland Security Information Network

The Homeland Security Information Network (HSIN) is a Web-based, unclassified information sharing platform connecting all homeland security mission partners. The HSIN supports federal and non-federal partners to establish awareness and collaborate and share information in support of the homeland security mission and specific DHS mission of:

1. Preventing terrorism and enhancing security
2. Securing and managing U.S. borders
3. Enforcing and administering U.S. immigration laws
4. Safeguarding and securing cyberspace
5. Ensuring resilience to disasters.

HSIN supports reporting and information gathering on all threats and all hazards and improves situational awareness for its users. It also facilitates collaboration and connects relevant cross discipline partners through Communities of Interest (COI). [6] HSIN is made up of a network of COIs consisting of homeland security disciplines supporting the mission including: emergency management; law enforcement; intelligence, and analysis; defense; public health and natural resources; and emergency services. HSIN is designed so that users can securely share within their communities or reach out to other communities. As of June 2011, HSIN was deployed in all DHS components and offices, 50 states, 40 fusion centers, 53 major urban areas, five U.S. Territories/District of Columbia, Canada, the U.K., and Australia (DHS HSIN Program Office, 2011).

Other DHS component organizations, such as the Office of Infrastructure Protection, the Coast Guard, and Federal Emergency Management Agency, use HSIN as

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[6] A COI is an area on the HSIN that users of like mission can go to share information and interact. There are over 35 COIs on HSIN.

a tool to further their respective missions and, therefore, have assisted in the development, operations, maintenance, and enhancement of HSIN. For example, according to the Office of Infrastructure Protection, it works with the critical infrastructure sectors—groups of similar private and government entities that operate and maintain systems and assets, so vital to the nation that their incapacity or destruction would have a debilitating impact on national security, national economic security, national public health or safety, or any combination of those matters[7]—to gather user requirements and develop business processes in order to integrate HSIN into the critical sectors' information-sharing environment (DHS, 2009).

Since the GAO 2007 report that said HSIN was not well integrated with the Regional Information Sharing System (RISS), HSIN has added additional capabilities and the ability to interoperate with the RISS. It has improved integration and interoperability functionality to facilitate transparency in access to applications, partner systems, and data sources. For example, it has established a single sign-on capability, and it interoperates with applications such as Law Enforcement Online (LEO) and RISS. It has the capability to provide situational awareness by providing access to the DHS's National Operations Center Common Operational Picture (COP), as well as allowing users to monitor multiple, simultaneous events. HSIN provides a set of processes and technologies that support the collection, management, and publishing of information in any form or medium. Finally, HSIN provides the ability for individuals, groups, or organizations to detect the presence of or meet and communicate with others instantly. Its collaboration tools include: instant messaging function called Jabber; virtual teleconferencing called HSIN Connect; alerts and notifications; really Simple Syndication (RSS) reader; and, secure messaging (DHS, 2011).

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[7] The critical infrastructure sectors include agriculture and food; banking and finance; chemical; commercial facilities; commercial nuclear reactors, materials, and waste; communications; critical manufacturing; dams; defense industrial base; drinking water and water treatment systems; emergency services; energy; government facilities; information technology; national monuments and icons; postal and shipping; public health and health care; and transportation systems.

3. Description of the Process Used to Gather User Requirements for HSIN

In its planning to gather user requirements for an upgraded HSIN—orignially called HSIN Next Gen but now called HSIN Relase 3—the program office developed a stakeholder engagement and management plan that guided its process for gathering and vetting user requirements. As stated in the plan, the purpose of the stakeholder engagement and management plan was to "identify and document the internal interactions between HSIN program leadership and supporting resources, as well as the external interactions with its stakeholders, stakeholder governance and advisory groups, and stakeholder support groups" (HSIN Program Office, 2011). The plan described the functions and activities of the stakeholders and how the activities would be facilitated and supported by the HSIN program. The plan provided a comprehensive view of all the interactions and supported a "one-program" approach to executing and managing HSIN stakeholder interactions (DHS, 2011).

First, the program office identified what it termed "internal" and "external" stakeholders. The external stakeholders provide governance and oversight of the program and include the:

- Program Manager, Information Sharing Environment (PM-ISE);
- DHS Information Sharing Governance Board (ISGB);
- Information Sharing Coordinating Council (ISCC);
- HSIN Advisory Committee (HSIN AC); and
- HSIN Mission Operators Committee (HSIN MOC).

The internal stakeholders and groups provide HSIN Program ongoing support in the operational validation of user requirements and the operations and maintenance of HSIN, post 3.0 implementation. These groups include: the HSIN User Working Group; Shared Mission Communities (SMCs); the HSIN User Development Group; the HSIN Pilot Group; and the stakeholders/users. A description of the stakeholders can be found in Figures 4 and 5 found in Appendix A. For the purposes of describing the model, it is not that important to understand the details of the stakeholder business functions as much

as it is to understand the diversity of the stakeholder make-up and how they provide input to the program office, which will be described in more detail below.

Second, the program office worked with each stakeholder group using a variety of means to discuss and gather requirements as well as prioritize requirements. The program office conducted in-person meetings in Washington, D.C. and conducted teleconference meetings. It also conducted videoconference meetings using HSIN Connect,[8] engaged in frequent email exchange, and, it conducted visits to users across the United States. The following are examples of how the program office worked with the HSIN Advisory Committee (HSINAC) and the HSIN Users Working Group.

The HSINAC is an advisory committee set up in accordance with the provisions of the Federal Advisory Committee Act (FACA) 5 U.S.C. App. that provides independent advice and recommendations to the leadership of the Department of Homeland Security on the HSIN. This includes system requirements, operating policies, community organization, knowledge management, interoperability, federation with other systems, and any other aspect of HSIN that supports the operations of DHS and its federal, state, territorial, local, tribal, international and private sector mission partners. The HSINAC is composed of individual members possessing expertise, knowledge, and experience regarding the business processes and information sharing needs of one or more of the homeland security mission areas. The HSINAC membership is as follows (Federal Register 2011):

- Three members drawn from currently serving state, tribal, or local law enforcement;
- One member drawn from currently serving federal law enforcement;
- Two members drawn from currently serving State Homeland Security Advisors;
- Two members drawn from currently serving emergency managers;
- Two members drawn from currently serving fire services;
- Two members drawn from currently serving public health or agriculture sectors;

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[8] HSIN Connect is functionality within the system that allows users to conduct a webinar using videoconference capabilities. It allows participants to share documents and use a chat functions.

- Three members drawn from currently serving senior managers in private sector industries deemed critical infrastructure or key resources in the National Infrastructure Protection Plan;

- One member drawn from currently serving in an Office of the Adjutant General of the National Guard;

- One member drawn from currently serving State or local Chief Information Security Officer or cyber-related position within State or local government;

- One member drawn from currently serving local, county/parish, or city government;

- One member drawn from currently serving tribal government;

- One member drawn from currently serving in any discipline with relevant expertise in state, local, tribal, or territorial homeland security.

Of the above-described members, two must serve in, or have direct oversight of, different state or major urban area fusion centers (Federal Register, 2011). The subject matter expertise of this group is intended to keep HSIN on pace with advances in technology necessary to respond to emergent and present threats (DHS, 2011).

In order to collect and validate user requirements from the HSINAC, the program office conducted (and continues to conduct) approximately three meetings each year, usually in the Washington, D.C. metropolitan area. The committee can meet more often as the need arises. Besides using the meetings to gather requirements, the program office encouraged the HSINAC to provide input during other forums such as the on-line forums conducted and the site visits that the program office conducted. In October 2010, the HSIN Outreach Team conducted road-trips to 12 fusion centers, five state/local law enforcement and emergency management organizations, and five DHS components to "operationally" validate and prioritize the requirements (DHS, 2011).

The HSIN Users Working Group (HUWG) was created with the goal of ensuring HSIN Release 3 contained capabilities that were operationally valuable for all HSIN stakeholders. Another goal of the HUWG was to provide continuous and consistent input from the HSIN stakeholder community throughout the development and implementation of the HSIN. A tertiary goal was, and is, to create representative oversight bodies (Mission User Working Groups) to sustain stakeholder participation in the direction of

HSIN post implementation. In short, it serves a venue for HUWG members to help shape the configuration and implementation of HSIN Release 3.

To provide for continuous interaction by the HUWG, the project office created a HSIN Community of Interest (COI) for the HUWG to support the virtual dissemination and collection of information and promote real-time collaboration. According to the program office, in August 2011 the total number of HUWG members (stakeholders) was 216 across DHS, federal partners, state, local, territorial and tribal stakeholders to ensure broadest representation of HSIN users including over 30 fusion center representatives, over 20 intelligence and analysis representatives, and three HSIN AC members. These members are also part of the mission focused sub-groups, which are segmented in the following way:

Table 3.　　Mission Sub-focus Groups (From HSIN Program Office, 2011, p. 14)

Critical Infrastructure	27 Members
Defense	15 Members
Emergency Mgmt	35 Members
ES/Fire	12 Members
Health	11 Members
Intelligence	39 Members
Law Enforcement	40 Members

Each sub-group has a team of three mission advocates to facilitate its validation and feedback processes to ensure consistency amongst all groups. Furthermore, membership in sub-groups is strictly "voluntary" and this serves the HSIN program by highlighting who the hyper-motivated Stakeholders are from within a group of motivated stakeholders. The HUWG COI serves as a communications and control mechanism for all HUWG activities, and it centralizes all findings and recommendations of the HUWG, making them transparent to all stakeholders.

In addition to using the HSIN COI to collect requirements from the HUWG, the HSIN program office has conducted in-person and teleconference meetings and the execution of activities normally associated with joint application design (HSIN Program

Office, 2011). Joint application design (JAD) is a process used to collect business requirements while developing new information systems for an organization. The JAD process also includes approaches for enhancing user participation, expediting development, and improving the quality of specifications. In the case of HSIN, the program office used the HUWG to serve as a pre-system implementation venue for stakeholder/government collaboration on:

- requirements elicitation through regular virtual validation sessions;
- design using agile development support; implementation of the system;
- testing and evaluation—user acceptance testing support;
- gap analysis;
- training; and,
- participation in HSIN user group conferences (DHS, 2011).

B.   ASSESSMENT OF THE HSIN PROGRAM OFFICE MODEL

This section presents an assessment of the HSIN model used to collect input from state and local government homeland security professionals as well as private sector. The first section evaluates the model against the criteria established in the methodology section of the thesis while the second section provides some additional assessment commentary.

1.   Evaluation Against Criteria

The HSIN model does provide structured, routine forums to discuss problems and offer possible solutions. The HSIN stakeholder engagement and management plan clearly laid out the forums to be used such as the HSIN Advisory Committee, the HSIN Users Working Group, the various DHS information sharing communities, and the HSIN user community as a whole. For each group, specific meeting times were established whether they were in-person meetings or virtual meetings.

The model also included representation from many different jurisdictions and groups of stakeholders that provided for the widest, diverse input possible. The HUWG membership alone contained 216 professionals from across DHS, federal partners, state, local, territorial and tribal stakeholders to ensure broadest representation of HSIN users

(DHS, 2011). It included over 30 fusion center representatives, over 20 intelligence and analysis representatives, and three HSIN AC members (DHS, 2011). The HSIN program office included the input from the private sector by reaching out through the 22 critical infrastructure COIs. The HSIN Advisory Committee charter requires a diverse membership. The HSIN AC diversity includes representation from different types of homeland security professions as well as representation from different size jurisdictions. Likewise, the vast federal homeland security community is represented in the other user groups established, such as the Program Manager, Information Sharing Environment (PM-ISE) and the HSIN Mission Operators Committee (MOC) (DHS, 2011).

The HSIN model provides prescriptive requirements regarding the different group memberships; however, it does not clearly prescribe decision-making and planning processes. The stakeholder engagement and management plan identifies the various stakeholder groups and their respective memberships. The HSIN AC was set up in accordance with the provisions of the Federal Advisory Committee Act (FACA) 5 U.S.C. App.; therefore, it is required to be very prescriptive in its membership. Where the model falls somewhat short is in describing the decision-making process. There is no documentation that describes how a requirement is accepted or rejected. Because the users are involved in user acceptance testing, it is assumed that the user feedback will be incorporated in that process provided the program office uses strict system development processes.

The HSIN model does an extremely good job at establishing transparency. The critical tools for establishing transparency have been the stakeholder engagement and management plan and the HSIN COI that was created to support the virtual dissemination and collection of information and promote real-time collaboration. The plan helped stakeholders understand how the program office identified stakeholders and how they intended on interacting with the stakeholders. The HSIN COI provided all stakeholders a means by which to track progress in the requirements collection and validation. The program office has been very forthcoming with information whenever they are asked to provide status updates to the stakeholders.

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The HSIN model appears to establish equality among all its members with respect to requirements inclusion; however, the program office has stated that it has accommodated state, local, and private sector requirements more than the federal partners requirements. The program office plans to focus on federal requirements equally in the future. The program office initially focused on gathering requirements from non-federal stakeholders as a result of the criticism from GAO and Congressional staff.

Finally, the model provides sufficient time for stakeholders to provide input and would most likely serve the NSS from the perspective of flexibility of its tight timeframes to develop policy. The HSIN model has been developed with flexibility in the time that the stakeholders are granted to provide input to requirements and system modifications. HSIN release 3 is being developed in an iterative manner so requirements are collected, incorporated, tested, and changed if appropriate.

2.   Additional Assessment of HSIN Model

The HSIN model provides additional benefits. Once completed, HSIN Release 3 could serve as a coordination mechanism for multi-department/multi-agency operations. This would allow for a consistent and on-going dialogue horizontally and vertically in the homeland security enterprise. For example, the Knowledge Management Architecture of HSIN Release 3 will enable the National Operations Center or other COI owners to share with the broadest amount of HSIN users when desired, while providing the ability to target very specific audiences when required. Considerations for sharing include: sector of government; mission area/discipline; subject matter expertise; and, geography.

The defined stakeholder groups used to gather HSIN requirements could provide input on other homeland security initiatives. DHS issued a Federal Register notice in November 2011 to renew the HSIN AC charter. The HSIN AC membership acts independent of members' parent organizations as subject matter experts in information sharing and collaboration. Their varied backgrounds in the major mission areas of HSIN creates an holistic knowledge base, against which recommendations are made to DHS leadership on the future direction of HSIN. The program office intends to keep the HUWG and the sub-HUWG to achieve a high level of stakeholder involvement during

user acceptance testing and ensure representation from the various stakeholder communities. Through their input, they will shape the way DHS and other federal agencies interact across the enterprise providing more information sharing and collaborative design of homeland security initiatives and solutions.

The HSIN model can be used for strategic operations and planning. The model provides a transparent and inclusive process for strategic-level planning. The well-defined mission area COIs can be used for broadest level of sharing and collaboration. The sub-HUWG or other COIs can address periodic and ad-hoc planning activities and each planning team can have a distinct workspace, yet share with all of the planning teams at the defined group level. The coordination will benefit the homeland security mission and enable unity of effort.

Finally, using the HSIN model can help align DHS and other federal agencies' resources to mission, goals, objectives, and priorities.

VI. ANALYSIS

A. ANALYSIS OF MODELS

Since 1947, the President has relied on the National Security Council to provide him advice in order to make sound national security policy. The structure of the NSC has been modified over time but since the George H. W. Bush administration the same policy process has been in place whereby interagency policy committees, the Deputies' committee, and the Principals' committee have developed national security policy for the President's approval. In 2001, the Homeland Security Council (HSC) was formed and structured to use the same policy process however; the HSC was much more inclusive of the federal executive branch with the inclusion of about 26 departments and agencies. This structure recognized that homeland security involved far more stakeholders than national security that traditionally focused on foreign policy matters.

While more inclusive than the NSC, the current HSC policy process is not inclusive enough because it does not adequately represent the entire homeland security environment. Local, state, tribal, and territorial governments and the homeland security professionals they employ, along with the private sector and non-governmental organizations all make up the homeland security enterprise. Therefore, they too require equal participation in the homeland security policy process developing policies that will impact them and they ultimately will have to execute to make this country safer.

On the positive side, the HSC process provides the structured forums, consistent membership and processes, and timeliness factor required to make sound policy. Essentially following the NSC process that has been used for over 30 years allowed the HSC to quickly develop 25 Homeland Security Presidential Decision Directives and 20 related strategies and procedural documents in its first seven years of existence. The HSC process has been more transparent than the NSC process largely because the HSC issues are largely unclassified whereas the NSC deals with more sensitive issues. As

demonstrated by the pandemic planning efforts, the HSC is working to make the process even more transparent so that the entire homeland security enterprise can be involved in planning for serious homeland security threats.

With respect to the second model, the *Quadrennial Homeland Security Review* (QHSR), DHS used a different, innovative process that engaged thousands of stakeholders and solicited their ideas and comments throughout the process. The National Dialogue on the QHSR process had benefits. By engaging stakeholders at all levels, DHS was able to incorporate "ground-level" expertise and specialized knowledge into the review. In other words, state and local first responders, emergency managers, homeland security advisors were able to influence the homeland security review process directly. By conducting a process accessible to all interested parties, without regard to their position or formal credentials, the Dialogue provided the opportunity to strengthen trust among stakeholders and create potential buy-in for later implementation of policies and priorities they helped to shape (National Academy of Public Administration, 2010).

The QHSR did experience challenges in preparing for the QHSR, executing it, analyzing the results. For example, identifying and recruiting homeland security partners and stakeholders was the most important aspect of the execution of the Dialogue. Identifying the universe of stakeholders was difficult for DHS because no one entity within DHS is responsible for keeping a list of stakeholders that DHS regularly engages with; the list was developed by going to each component within DHS and then to other federal agencies.

In its report *National Response Framework: FEMA Needs Policies and Procedures to Better Integrate Non-Federal Stakeholders in the Revision*, GAO discussed importance of partnering with non-federal stakeholders in disaster planning and noted that frequent communication is one of a number of practices that enhance and sustain collaboration (GAO, 2008). In its review of the QHSR, the National Academy of Public Administration made a number of recommendations to continue engaging stakeholders going forward and further building its capacity to do so through a more robust technology platform as well as administrative recommendations (2010).

The biggest shortfall of the QHSR model was the timeliness factor. The QHSR National Dialogue did not provide the stakeholders sufficient time to review documents and then provide substantial input. Both GAO and NAPA pointed out this issue. DHS plans to provide more time for the next QHSR. In addition, the QHSR was a "cold start." In other words, DHS did not have strong, established relationships with the stakeholders or held that type of interactive process before. In contrast, HSIN had thousands of regular users that were used to interacting with DHS; therefore, it made the gathering of input quicker and smoother.

The HSIN model used to gather requirements for the HSIN Release 3 has many of the benefits that the QHSR exhibited. It provided structured and routine forums to discuss HSIN requirements. It established transparency by using the HSIN system to convey information, collect data, and report results. The system was also used to pilot segments of the upgraded systems so users could experience the implementation of their input and then provide the program office feedback. The feedback was used to modify the system and then the users tested it again.

The greatest strength of the HSIN model was the representation from many different jurisdictions and diverse stakeholders, providing for the widest, diverse input possible. Each group provided a diverse membership. The on-going HSIN advisory committee was chartered specifically to provide members from: state, local, tribal government; federal, state, tribal, and local law enforcement; state homeland security advisors; and the various homeland security disciplines—emergency managers, fire services; and public health sectors. Similarly, the HSIN users working group and the entire HSIN user community provide a diverse group of homeland security professionals to draw input from that were distributed across the country and the different homeland security disciplines.

In the future, entities developing national homeland security policy, for example the NSS or DHS, will need to develop protocols to reach expansive homeland security community by engaging professionals that maintain close ties with the stakeholders that should be involved. These stakeholders should be engaged on a regular basis. The HSIN model seems to be the most suited for this effort.

A summary of how the models met or fell short of the criteria can be found in Table 4.

Table 4.   Comparison of Three Models Evaluated Against Criteria

Criteria	Current Process	QHSR	HSIN Release 3
Provides structured routine forums to discuss policy problems, agree on the problem, and offer possible solutions	The HSC process, particularly the IPC-DC-PC structure, provides structured forums to discuss policy problems, agree on the problem set, and offer possible solutions.	The QHSR process did provide for structured forums to discuss policy problems, agree on the problem set, and offer possible solutions	The HSIN model does provide structured, routine forums to discuss problems and offer possible solutions. The HSIN stakeholder engagement and management plan clearly laid out the forums to be used
Includes representation from many different jurisdictions and diverse stakeholders, providing for the widest, diverse input possible	The HSC model does not include representation from many different jurisdictions and diverse stakeholders.	The QHSR process was designed and executed to include representation from many different jurisdictions and diverse stakeholders.	It included representation from many different jurisdictions and groups of stakeholders including representatives from across the country, all levels of government, and the private sector.
Provides prescriptive requirements regarding group membership, decision-making processes, and planning	The HSC process does provide prescriptive requirements regarding group membership, decision-making processes, and planning	The QHSR process does provide prescriptive requirements regarding group membership, decision-making processes, and planning.	The HSIN model provides prescriptive requirements regarding the different group memberships; however, it does not clearly prescribe decision-making and planning processes.

Criteria	Current Process	QHSR	HSIN Release 3
Establishes transparency	The HSC process has mixed results with respect to transparency	The QHSR process was transparent within each of the QHSR elements. However, it is not clear that it was transparent across elements.	The HSIN model does an extremely good job at establishing transparency.
Establishes equality among local, state, federal government and private sector/NGO stakeholders with respect to consideration of policy input;	While the HSPD establishes equality among federal members with respect to consideration of policy input, it does not provide equality for the Homeland Security Advisory Council or non-federal stakeholders and it does not provide for the widest, diverse input possible.	The QHSR establishes equality among local, state, federal government and private sector/NGO stakeholders with respect to consideration of policy input but federal departments and agencies had more opportunities at the end of the process to provide additional input.	The HSIN model appears to establish equality among all its members with respect to requirements inclusion however, it initially accommodated state, local, and private sector requirements more than the federal partners requirements.
Timeliness- the model provides sufficient time for stakeholders to review while giving NSS sufficient flexibility within their tight time frames	The HSC process is geared toward the NSS staff's requirements to develop and issue homeland security policies and strategies in an expedited manner.	The QHSR did not provide sufficient time to the stakeholders to provide input and debate the issues and then further debate after their comments were incorporated.	The model provides sufficient time for stakeholders to provide input and would most likely serve the NSS from the perspective of flexibility of its tight timeframes to develop policy.

B.   OTHER CONSIDERATIONS

In addition to the criteria used to evaluate the three models, the NSS will also need to consider defining what collaboration will look like, what tools should be used to facilitate collaboration, and legal challenges that might prevent collaboration with state, local, and tribal governments and private sector.   When considering an appropriate model, it is important that all parties understand what collaboration will look like. For example, the NSS will need to determine if each participant's comments be individually

adjudicated or if only comments from designated representative professional organizations. The NSS may want to identify collaboration success factors and stick to them. Hand in hand with the concept of collaboration are the tools to facilitate collaboration. The correct tool will need to be selected to ensure the best possible collaboration process. Finally, in a federal system, there are legal challenges that need to be address when the federal government solicits input from state, local, and tribal governments as well as private sector.

1. Collaboration

The homeland security environment is one that requires collaboration to develop and implement policy, programs, and procedures to defend the nation. Shared policy responsibility exists horizontally, across agencies at the same level of government, and vertically, across all level of governments (e.g., federal, state, local). Traditionally, intergovernmental relations due to federalism have ranged from collaborative to coercive to competitive (Clovis, 2006). In many cooperative activities, the federal government takes the lead whereby Congress and federal agencies define the scope and goals of a program and provide the funding and states decide whether to participate or not and help design implementation strategies. However, frequently the federal government attempts to coerce the states to comply with a national agenda through funding threats and conditions attached to grants-in-aid (Mullin& Daley, 2009). In the homeland security realm, collaborative vertical relationships provide clear benefits but state and local agencies must be involved in the policy development process in a collaborative way instead of a coercive manner

The literature and studies on collaboration have shown that many factors are important in creating and maintaining well-functioning working relationships between organizations (Mullin & Daley, 2009). One consistent finding suggests that collaboration is more likely to occur when issues are significant or are "wicked problems" (Leach, Pelkey, & Sabatier 202; Lubell 2005; McGuire 2006; O'Toole 1997 as cited by Mullin, & Daley, 2009). In other words, higer levels of interagency collaboration are expeted when confronting more difficult public problems (Mullin & Daley, 2009).

Each model recognizes collaboration. The current HSC model uses collaboration at the federal level but it doesn't include state, local, or private sector. The QHSR model provided a good start for collaboration across the homeland security enterprise and, if DHS works to improve the process, collaboration will improve for the next QHSR. The HSIN model exhibited the greatest amount of collaboration.

2. Tools for Collaborative Environment

Technology influences business processes, communication methods between the public and its government, and our everyday lives. Technology also changes at a rapid pace with new applications being developed and rolled-out what seems like almost daily. With the emergence of Web 2.0 technologies, such as wikis, blogs, social bookmarking, and micro-blogging, the potential for and realization of unintended or emergent collaboration to occur has grown. According to the Enterprise 2.0 expert Andrew McAfee, Associate Professor at the Harvard Business School, these technologies are significant "because they can potentially knit together an enterprise and facilitate knowledge work in ways that were simply not possible previously" (McAfee as cited in O'Connor,Bienenstock, Briggs, Dodd, Hunt, Kiernan, McIntyre, Pherson, & Rieger, 2009, p. 12). No one predicted the impact social media platforms, such as *Twitter*, would have on the way emergency managers address a disaster, nor would they have predicted how *Linked-in* social media application changed the way people professionally network. In addition, new collaboration capabilities, such as Wikipedia, have made it easier for individuals to contribute to group effort without requiring formal management. The QHSR showed some signs of this phenomena during the Dialogue when the stakeholders voted on and "tagged" homeland security themes and essentially voted out bad ideas.

Any policy development model used by the NSS should include a well-structured collaboration environment that provides both the technical infrastructure and the incentives for participation. Additional research that surveys the types of collaboration tools being used across the homeland security disciplines—law enforcement, emergency medical services, fire service, emergency management, and homeland security advisors would be beneficial for influencing how the homeland security enterprise develops

policy, strategic, and tactical plans. The analysis could evaluate the pros and cons of each tool as it relates to collaboration on policy and operations. The tools should also be evaluated for cost and implementation elements. Finally, it would be beneficial if the research could look five to 10 years down the road to determine if there are new tools or techniques emerging as the next Twitter or Facebook and those might influence or improve the homeland security enterprise.

3.   Challenges and Legal Issues

In the *Implementing the Recommendations of the 9-11 Commission Act of 2007*, Congress mandated that DHS gather stakeholder input into the *Quadrennial Homeland Security Review* (QHSR). Along with this requirement, DHS also had to take into account other existing laws, policies, and mandates that govern how federal agencies can engage with the public. The primary requirements are found in the Federal Advisory Committee Act of 1972 (FACA), the Privacy Act of 1974, the Paperwork Reduction Act of 1980 (PRA), and OMB Circular A-130 and other directives. These requirements, while well intentioned at the time of implementation, did not take into account how Web-based collaborative tools would change, even revolutionize government engagement with the public.

The PRA's goal is to reduce the total amount of paperwork imposed by the federal government, and to prevent the government from using its authority to collect information not directly related to some authorized function (NAPA, 2010). While reducing burden on the public, some PRA requirements can be burdensome for federal entities and delay timely public engagement. Unlike traditional surveys or other paper-base collection processes used in the past, which may indeed have been "burdensome" on the public, Web-based collaborative platforms fundamentally alter "information collection" within the context of the PRA. The process by which PRA calculates the paperwork burden placed on agencies does not clearly apply to technological-based collection methods either. Collaborative platforms are built upon principals by which the more feedback received, the more clearly participants' preferences and priorities can be sorted resulting in a clearer picture of what the public finds important.

Collaborative tools to tap stakeholders' expertise and ideas have been used successfully by TSA, the Office of the Director of National Intelligence, U.S. Environmental Protection Agency, and U.S. Patent and Trademark Office. Through collaborative engagement, participants will contribute solutions, raise concerns, and indicate priorities that would not have surfaced otherwise. This contradicts the PRA's direction to agencies that collecting information must serve a clear and predetermined purpose. Often, the most effective instances of online collaboration result from ideas and information that are not anticipated (National Academy of Public Administration, 2010).

DHS faced challenges in obtaining nonfederal input during the QHSR process because of logistical challenges and legal challenges associated with the Federal Advisory Committee Act (FACA) requirements. According to DHS officials, convening state and local government officials for input on the QHSR was a significant logistical challenge; therefore, DHS opted to consult with national associations that could represent the perspectives of state, local, and tribal homeland security stakeholders (GAO, 2011). In addition, FACA affected how DHS was able to consult with private sector stakeholders when developing the QHSR report. The FACA establishes standards and uniform procedures for the establishment, operation, administration, and duration of advisory committees.

Specifically, in a recent GAO report, DHS noted that the department was limited in its ability to consult with private sector groups on an ongoing basis without forming additional FACA committees specifically for conducting consultations on the QHSR. (GAO, 2011) DHS was also limited in its ability to seek feedback from established FACA committees that had been convened for other purposes. The meeting schedules of those committees did not align well with the QHSR study period, and there were significant logistical challenges to scheduling additional meetings of those groups to address QHSR. In addition, the Deputy Assistant Secretary for Policy (Strategic Plans) stated that under FACA DHS could not invite members of established FACA committees convened for other purposes to join meetings of the QRAC for the purpose of providing advice and feedback (GAO, 2011). One study group facilitator commented that the FACA consideration significantly reduced the role that nonfederal stakeholders played in

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the QHSR (GAO, 2011). According to this respondent, addressing the FACA requirements and including appropriate FACA-compliant groups with a broader range of academics and others could have affected the outcome of the study group's deliberations (GAO, 2011). However, according to the Deputy Assistant Secretary, establishing new FACA committees in addition to the QRAC, which DHS established as a FACA-compliant committee specifically for QHSR consultations, was prohibitively time consuming within the time frames DHS had for conducting the 2010 QHSR (GAO, 2011).

In summary, any model used by the NSS will have to take into consideration the challenges and legal issues discussed above.

VII. CONCLUSION

Secretary Napolitano has placed an emphasis on "the principle that making ours a ready and resilient nation is a shared responsibility, and it is shared by every single individual in this country" (2009). Likewise, President Obama has emphasized the homeland security is a shared responsibility. This commitment to the shared responsibility requires the White House National Security Staff to make a commitment to meaningfully engage stakeholders in the mission, through increased transparency and direct consultation. Continued engagement will not only build trust and support from those entities, but it will greatly improve the homeland security enterprise. As a result, this research set out to identify a model that would provide the most effective and efficient manner to engage local, state, tribal, and private sector partners during the national homeland security policy development process.

After analyzing the various models, there appears to be no one specific model that can be directly adopted by the National Security Staff to ensure collaborative homeland security policy development with emphasis on vertical integration in the homeland security enterprise. However, the research has identified key elements from each model that should be adopted by the NSS to create a hybrid model that can be successful as the NSS develops homeland security policies, strategies, plans, and procedures in the future.

First and foremost, transparency is critical. Each model evaluated had an element of transparency that helped make it effective and should be considered as part of the ultimate solution. For example, the current process used by the NSS makes use of a comment adjudication matrix. Each federal department that comments on a NSS developed policy is able to see via the comment adjudication matrix (See figure 2 in Chapter III) how their comments were adjudicated. Similarly, the QHSR model used each successive National Dialogue session to refine the QHSR products further, incorporating comments from the enterprise collected in the previous Dialogue session. The Dialogue also enabled state, local, and private sector participants to view pre-decisional government documents as well as the comments made by others within the homeland security enterprise. The model used by the HSIN program office enabled users

to clearly see why some user requirements were adopted and others were not. By including users in system acceptance testing, they played a major role in identifying positive and negative results leading to system modifications. In addition, as new requirements are identified and the system is upgraded and modified in the future, this model will continue to benefit both the enterprise and DHS by providing a configuration management tool and a shared mission focus through the prioritization of requirements.

While sharing pre-decisional policy documents, especially from the White House, may be considered a political risk, the homeland security enterprise identified this aspect of the QHSR as a positive step forward. In its report on the QHSR, NAPA emphasized that "undertaking collaborative policy consultation should be as transparent as possible" (NAPA, 2010). However, NAPA recognized that there is a limit to transparency noting it as the difference between "fishbowl" and "reasoned" transparency (NAPA, 2010). As cited in the article *The Transparency President? The Obama Administration and Open Government*:

> The aim [of "fishbowl transparency"] is to expand the release of information that can document how government officials actually behave, such as by disclosing meetings held between White House staff and outside groups. But there is another type of transparency, reasoned transparency that demands that government officials offer explicit explanations for their actions. Sound explanations will be based on application of normative principles to the facts and evidence accumulated by decision makers—and will show why other alternative courses of action were rejected. Sound policy explanations are not the same as the kind of account that journalists, historians, or social scientists would give if they were trying to explain, as an empirical matter, why a policy was in fact adopted, an account that would clearly be aided by an expansion of fishbowl transparency. Instead, reasoned transparency depends on making a substantive evaluation of the soundness of an official's reasoning, not on knowing whether that official might have met with one interest group or another. (Coglianese, 2009)

The National Security Staff should adopt a reasoned transparancy approach. As the paper further pointed out, transparancy can positively improve governments decision making by helping to inform stakeholders about the problems that government officials seek to solve and the options they are considering.

Implementing transparency in the homeland security policy making process will be challenging. First, policymakers will have to be careful what proposals are shared with the public because there could be a negative impact on our nation's security. Second, it is difficult to measure transparency—there is no "unit of transparency" to measure to determine if the NSS are successful. The outcomes of transparancy—better policy and informed decisions—are also difficult to measure. Despite these challenges, transparency in the process is a critical factor to successfully integrating state, local, tribal, and private sector into homeland security policy development.

A second critical element of any model the NSS adopts is the inclusion of a diverse set of homeland security stakeholders. The current HSC process is limited because it only includes input from the major federal departments and agencies with a homeland security responsibility and not other significant stakeholders such as state, local, tribal governments and non-governmental organizations. However, as part of re-writing HSPD-8 into Presidential Decision Directive 8, the NSS, for the first time, reached out to 25 major homeland security professional associations to gather input. This was a good first step but it represented only a small sector of the homeland security enterprise. The QHSR model and, to a larger extent, the HSIN model reached a far larger and diverse set of stakeholders. Given the ongoing relationships and large number of participants in the major communities of interest (COI) on HSIN, the NSS should consider leveraging that tool and the COIs to gather input on policy.

Finally, balancing timeliness and quality of input of policy is a challenge for the NSS. The model that is used has to provide the stakeholders sufficient time to review and comment on policy. The HSIN model provides the best chance of meeting the NSS needs over time because the HSIN users are consistent and plentiful, and over time, the NSS will establish a working relationship with these users through constant interaction. Developing a working relationship through a trusted venue (HSIN) will establish trust which in turn will facilitate quicker turn around on policy documents in the future.

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APPENDIX A

Table 5.   Homeland Security Presidential Directives issued by President George W
Bush

Number	Homeland Security Presidential Directive Title	Date
HSPD 1	Organization and Operation of the Homeland Security Council	29 Oct 01
HSPD 2	Combating Terrorism Through Immigration Policies	29 October 01
HSPD 3	Homeland Security Advisory System	11 March 02
HSPD 4	National Strategy to Combat Weapons of Mass Destruction (unclassified version)	11 December 02
HSPD 5	Management of Domestic Incidents [Initial National Response Plan, 30 September 03]	28 February 03
HSPD 6	Integration and Use of Screening Information to Protect Against Terrorism	16 September 03
HSPD 7	Critical Infrastructure Identification, Prioritization, and Protection	17 December 03
HSPD 8	National Preparedness	17 December 03
HSPD 9	Defense of United States Agriculture and Food	30 January 04
HSPD 10	Biodefense for the 21st Century	28 April 04
HSPD 11	Comprehensive Terrorist-Related Screening Procedures	27 August 04
HSPD 12	Policy for a Common Identification Standard for Federal Employees and Contractors	27 August 04
HSPD 13	Maritime Security Policy	21 December 2004
HSPD 14	Domestic Nuclear Detection	15 April 2005
HSPD 15	U.S. Strategy and Policy in the War on Terror (classified directive)	6 March 2006
HSPD 16	National Strategy for Aviation Security	22 June 2006
HSPD 17	Nuclear Materials Information Program	28 August 2006
HSPD 18	Medical Countermeasures Against Weapons of Mass Destruction	31 January 2007
HSPD 19	Combating Terrorist Use of Explosives in the United States	12 February 2007
HSPD 20	National Continuity Policy	4 April 2007
HSPD 21	Public Health and Medical Preparedness	18 October 2007
HSPD 22	Domestic Chemical Defense	Classified
HSPD 23	Cyber Security and Monitoring	8 January 2008
HSPD 24	Biometrics for Identification and Screening to Enhance National Security	5 June 2008
HSPD 25	Arctic Region Policy	9 January 2009

List of national homeland security strategies developed by the Homeland Security Council:

- National Strategy to Combat WMD (December 2002)

- National Strategy for Combating Terrorism (February 2003)

- National Strategy for the Physical Protection of Critical Infrastructure and Key Assets (February 2003)

- National Strategy to Secure Cyberspace (February 2003)

- National Strategy for Maritime Security (September 2005)

- National Strategy for Pandemic Influenza (November 2005)

- National Strategy to Combat Terrorist Travel (May 2006)

- National Strategy for Aviation Security (March 2007)

- National Strategy for Information Sharing (October 2007)

- National Strategy to Combat Terrorist Use of Explosives (December 2007)

- National Strategy for Countering Biological Threats (November 2009)

Other related department-level strategies, plans and strategic documents developed under the direction of the HSC:

- National Health Security Strategy (HHS - Dec. 2009)

- Quadrennial Homeland Security Review Report (DHS - Feb. 2010)

- Quadrennial Defense Review Report (DoD - Feb. 2010)

- National Incident Management System (DHS - 2003, 2008)

- National Border Patrol Strategy (DHS - 2005)

- National Infrastructure Protection Plan (DHS - 2006)

- Small Vessel Security Strategy (DHS - April 2008)

- National Emergency Communications Plan (DHS – July 2008)

- National Disaster Housing Strategy (DHS - 2008).

Table 6.   HSIN External Stakeholder Groups (From HSIN Program Office, 2011)

Name of Stakeholder	Description of Stakeholder	Primary Responsibility	Participating Members
Program Manager, Information Sharing Environment (PM-ISE)	Provides analysts, operators and investigators with information needed to enhance national security.	Improve the management, discovery, fusing, sharing, delivery of,	Participants include senior leaders from DHS, DOJ,

Name of Stakeholder	Description of Stakeholder	Primary Responsibility	Participating Members
	They come from a variety of communities—law enforcement, public safety, homeland security, intelligence, defense, and foreign affairs – and may work for federal, state, local, tribal, or territorial governments. They also have mission needs to collaborate and share information with each other and with private sector partners and our foreign allies. Federal agencies and state, local, tribal, and private sector partners—the ISE Mission Partners— deliver, and operate, the ISE and are accountable for sharing to enable end-to-end mission processes that support counterterrorism	and collaboration around terrorism-related information. The primary focus is any mission process, anywhere in the United States, that is intended or is likely to have a material impact on detecting, preventing, disrupting, responding to, or mitigating terrorist activity. Examples include: terrorism watchlisting, person and cargo screening, suspicious activity reporting, and alerts, warnings and notifications.	DoD, DOI, DNI, SLTT, and the Critical Sector, Key Resources (CIKR)
DHS Information Sharing Governance Board (ISGB)	Provides a forum for senior DHS intelligence, operational, and management leaders to ensure consistent information sharing governance and management, both internally and externally, and provides strategic oversight to those DHS information sharing relationships within fusion centers.	The ISGB is responsible for ensuring consistency in information sharing and collaboration policy, procedure, and relationships across the Department. The ISGB assists in key decision-making policies related to DHS support and interaction with the State and Local Fusion Centers (SLFC) and engages components to endorse common philosophy, business rules and guidelines, and to prioritize and synchronize initiatives and adjudicate information sharing issues.	Participants include senior leaders from across DHS components and headquarter offices (Policy, Intelligence and Analysis, Infrastructure Protection, Operations Coordinatin and Planning et al.).

Name of Stakeholder	Description of Stakeholder	Primary Responsibility	Participating Members
Information Sharing Coordinating Council (ISCC)	Established as the deliberative coordination body for the ISGB and serves to address SLFC issues on behalf of the Department, and in support of the ISGB.	The ISCC develops communications plans to encourage participation within DHS and among external partners. In developing these communications plans, the ISCC: Identifies key audiences among internal and external stakeholders and partners; Develops messages that inform and educate; Solicits feedback and participation.	Operational components of the Department, and representatives from the Office of Civil Rights and Civil Liberties (CRCL), the DHS Privacy Office (PRIV), the Inspector General, and the Office of the General Counsel.
HSIN Mission Operators Committee (MOC)	Ensures operator input into HSIN policy, governance, and technology development.	The MOC helps to prioritize and review requirements with the HSIN Change Control Board and establishes baseline standards for all HSIN communities (the baseline standards a community must meet to join HSIN).	Consists of federal representatives, but DHS is working with legal counsel to get state and local representatives onto this body.
HSIN Advisory Committee (HSIN AC)	The HSIN AC provides independent advice and recommendations to the leadership of the Department of Homeland Security on the Homeland Security Information Network (HSIN). The HSINAC focuses on the operational information sharing requirements of federal, state, territorial, tribal, local, international, and critical private sector mission partners	The HSIN AC membership acts independent of their parent organizations as Subject Matter Experts in information sharing and collaboration. Their varied backgrounds in the major mission areas of HSIN creates an holistic knowledge base, against which recommendations are made to DHS leadership on the future direction of HSIN. The subject matter expertise	Comprised of HSIN Stakeholders from across the enterprise who come together as Special Government Employees after completing a request for membership (compliant with FACA guidelines). Applications are reviewed by the HSIN Business

Name of Stakeholder	Description of Stakeholder	Primary Responsibility	Participating Members
		of this group is intended to keep HSIN on pace with advances in technology necessary to respond to emergent and present threats.	Owner for approval.

Table 7.   Internal Stakeholder Groups (From HSIN Program Office, 2011)

Name of Stakeholder	Description of Stakeholder	Primary Responsibility	Participating Members
HSIN User Working Group	Provide continuous and consistent input from the HSIN Stakeholder community throughout the development and implementation of the new HSIN system.	create representative oversight bodies (Shared Mission Communities—SMCs) to sustain stakeholder participation in the direction of HSIN post implementation. Overall identified Objectives include: requirements validation, agile and UAT support, pilot participants	
Shared Mission Communities (SMCs)	Formation of communities that bring people together from organizations with shared missions to address mission specific information sharing issues. These mission focused groups vary in size, influence and motive; some have wide ranging, long term goals while others are focused on response to an immediate hazard. This provides operationally valuable processes and content requirements for each group.	To serve as holistic representative bodies of users with a shared mission interest. To create content that is valuable to all levels of HSIN involvement; from analyst and first responder to Fusion Center Director and Principal Federal Official (PFO) by embracing and supporting the fundamentals of the HSIN knowledge management (KM) strategy.	SMCs are comprised of mission operators from across the aggregate HSIN user community and are segmented into the major mission areas within (LE, EM, ES/Fire, DoD, Health, and private sector partners)

Name of Stakeholder	Description of Stakeholder	Primary Responsibility	Participating Members
HSIN Users Development Group	Certified HSIN users/stakeholder partners	Allow stakeholders to improve HSIN through their development efforts. Users get certified by HSIN program office and follow formal process for the submission of ideas/concepts for approval and the development, test, and acceptance process.	HSIN Stakeholders who complete a certification process as a developer.
HSIN Pilot Group	various stakeholder communities grouped by communities (geography and components)	Pilot the HSIN release prior to full release	Level 1 Participation (desired)— Dedicated participation Level 2 Participation— In person sporadic participation with consultative participation when not able to attend in person. Level 3 Participation— Full time remote consultative participation
Stakeholder and Users	HSIN end users, administrators, contributors and viewers who utilize HSIN to perform daily or event driven activities	Help the program management office to create an environment of sharing in lieu of consuming by demonstrating that HSIN is evolving to meet their shared and specific needs through direct representation in the end-to-end system development and implementation process	HSIN end users from all the disciplines

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